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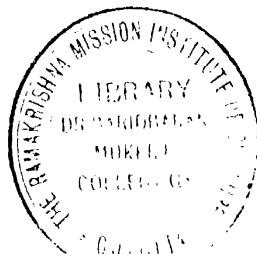
Bengal. Past And Present.

Vol. 8

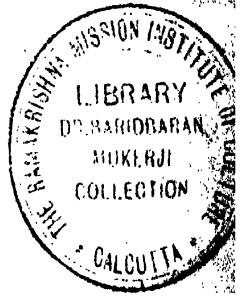
1914



THE
BUSTEED MEMORIAL
IN
THE VICTORIA MEMORIAL HALL.



Some Records Relative to the Mayor's Court.



INTRODUCTION.

IN 1693, when the Company in London were devising large schemes for their young settlement at Calcutta, they proposed the establishment of a Court of Judicature which would take cognisance of disputes between British subjects residing at that place. On April 10th 1693, they wrote.

"24. We send you with this a short extract of two or three Paragraphs out of our Generall Letter to Bombay and Suratt, by which you will see that we have taken as much care as we can to prevent the irregularities of such as sail upon our Country permissive ships from Suratt, &c. And now it will be your part to erect such a Judicature in Bengall after the manner you have seen practised at Fort St. George to judge and punish by fines to the Company and otherwise such as shall offend hereafter, wherein we doubt not, but you will proceed with exact justice and great moderation, which is always to be used to the first offenders, besides if you find any refractory you may reduce them to obedience by denying them the privilege of our passes and dusticks [dustaks] &c.¹

To this the President and Council at Calcutta replied on December 14th, 1694² :—

"By the death of Agent Charnock your Honours are disappointed in your Intentions and Expectation of having a Court of Judicature erected in Bengall and for that reason we presume the Hon'ble President and Councill of Fort St. George took the Commission out of your Honours Packett before it came to us, our Endeavours have been fruitless hitherto in procuring the Nabobs and Duans consents for a firm settlement in this place and we have no hopes of a grant for it so long as this Duan continues."

With this view the Directors concurred, for on May 14th, 1696, they write: "Till the Company be settled by Act of Parliament, we think it not very material to resettle a Judicature in Bengall, since you may send to the Fort,³ or send thither for a warrant or bring up any refractory or disorderly persons."

¹ *Court's Letter Book*. Vol. IX, p. 257. The Surat letter referred to above is dated 1 May 1693, and the paragraphs mentioned are Nos. 2 and 3.

² Bengal Original Consultations (India Office Records), Vol. L. No. 5949.

³ Fort St. George, Madras.

In 1726, however, the Company again moved in the matter of establishing a Court at Calcutta, and it is with their petition of February 1, 1727 the following series of records commence. These papers were copied at my request by Miss L. Anstey from originals in the Record Department of the India Office.

The Rev. J. Long, in the introduction to his volume of *Selections from the Unpublished Records of Government, 1748-67*, tells us that the records of the Mayor's Court "are deposited with the High Court, but unfortunately all records since 1749 have been lost." He gives us the following account of the expenses of the Mayor's Court in 1753.

To paid the trustees of the charity school for apartments for the records				Rs.	A.	P.
for 4 months at Arcot Rs. 30 per month	...	...	...	120	0	0
		Batta 8 per cent.	...	9	9	6
				129	9	6
To paid for a piece of red taffaty for gowns for the Alderman	...			12	15	3
To paid by order of court for copying a large book for the court's use	...			64	12	9
To paid for wax cloth	...	...	...	1	0	6
Velvet for the chair and cushion and making	...	...	...	37	4	3

In August 1748 Madras was restored by the French to the English Company. The Company were advised by the Solicitor General and their Standing-Counsel, that the capture of Madras by the French had terminated powers and authorities granted by the Charter of 1723. As a new Charter was thus rendered necessary for Madras, the Directors thought that they might make use of this occasion, and, while surrendering the charters for Bengal and Bombay to obtain charters embodying various improvements of which experience had proved the need. The principal addition made was the establishment of Commissioners to serve as a Court of Requests for the recovery of debts not exceeding five pagodas in amount. In their letter accompanying the Charter, the Directors remark: "With respect to criminal proceedings, we have nothing to add to the instructions already given, unless it is, that the Legislature in the last Session made an Act of Parliament for better preventing the horrid crime of murder, several copies of which we send you herewith. So, if the Commissioners of Oyer and Terminer think it may be a means to prevent or deter persons from committing that horrid crime, they may, in case of conviction, proceed to judgment and execution, and disposal of the body in the manner that the Act directs."

The Charters of the Mayor's Court thus established four judicatures in Calcutta exercising jurisdiction from the English Crown over British subjects, natives in their employment, and persons who voluntarily placed themselves under the Courts:—

1. The President and Council (in 1723 "five of the Council"; 1753 "all the Council") are Justices of the Peace and Commissioners of Oyer and Terminer and Gaol delivery, and hold Quarter-Sessions.

2. The Mayor's Court.
3. The President and Council, a Court of Record, to hear appeals from the Mayor's Court.
4. After 1753, twelve Commissioners to form a Court of Requests.

Turning to the subject of the law administered by these Courts, it may be said at once that it was the law of England as it stood at the introduction of each of the Charters, *i.e.*, 1723 to 1753, it was the law of England as it stood in the year 1723, and from 1753 onward as the same law stood in 1753. Impey at his Impeachment stated: "Among the records I found the instructions sent out by the Court of Directors with that Charter (the Charter 1753), and expecting, as I really procured, great information from them, ordered them to be copied. These instructions direct the new Court how to proceed against prisoners not understanding English, tells what crimes are misdemeanours, what simple felonies, what within clergy, what capital, and all the distinctions on that head; what punishments are to be inflicted, amongst which transportation is particularised; how to proceed in each case; and gives precedents of indictments for each crime, the oath for an interpreter where the prisoner does not understand English, directions how to proceed when any Portuguese, Gentoo, or native of India, not born of British parents, happens to be prosecuted for any capital offence, which the instructions say 'will probably often happen'; they are told that stealing goods above the value of forty shillings out of a dwelling-house, above five shillings privately out of a shop or warehouse, or stable, and from every person above five shillings is capital: they are told that the jury may mitigate the sum so as to make the offence clergyable, and the clerk of the peace is directed to mark the judgment[s] so mitigated to distinguish them. They give precedents of indictments for all these crimes, and add indictments for burglaries, highway robberies, and horse-stealing, as cases 'likely to happen.' In a marginal note they are told in cases where any Act of Parliament makes a crime felony, which was not so at common law, the indictment must conclude 'against the form of the Statute.' They are directed 'to enlarge on His Majesty's' princely goodness, who on the humble application of Honourable Company, has thought fit to extend his care and the benefit of his laws to his most distant subjects in the British settlements in the East Indies. This the Directors desire 'may be done the first time the Commission is put into execution'."¹

Sir Gilbert Elliott² contended that Sir Elijah Impey was mistaken as to the date of these instructions, and asserted that they were in fact sent out with the Charter of 1723. No evidence is forthcoming to support Sir Gilbert's assertion, and, on the other hand, in a volume of Early Parliamentary Papers (printed)

¹ Sir J. F. Stephen: *The Story of Nuncomar and the Impeachment of Sir Elijah Impey*. Vol. II pp. 20-1. Sir J. F. Stephen did not "attempt to verify this statement of Impey's."

² The Mover of Impey's impeachment; afterwards the first Lord Minto.

there is to be found "Extracts from the Book of Instructions for putting into execution the E. I. Co's Charter for erecting and holding Courts of Justice, Civil and Criminal, at Fort St. George and the Company's other Settlements in the East Indies, dated the 8th June, 1753, 26th year of the reign of George the Second. These extracts clearly are made from the instructions cited by Impey.

During Impey's impeachment, Mr. Boughton Rous was asked whether he knew "anything of any intention to carry the English criminal law into execution in the town of Calcutta?" He replied: "I have found amongst my papers a copy of a proclamation issued by His Majesty's justices for the town and district of Calcutta at their Quarter Sessions held on the 3rd June, 1762, in which such an intention is announced." A diligent search for a copy of this Proclamation has been made at the Record Department of the India Office, but in vain.¹

Among the records following will be found "an Account of the several persons who have been prosecuted in the Court of Quarter Sessions in Calcutta, for criminal offences according to the Laws of England, from the 1st of January, 1762, to the 1st of October, 1774."² It will be observed that the first case is dated August 27th, 1762, *i.e.* subsequent to the proclamation mentioned in the preceding paragraph. Out of forty-five cases, in which sixty-two persons were implicated, the natives are in the majority, and in twenty-one cases the sentence was capital. Two cases may be taken as illustrative of the law enforced by the Courts. These I take from Verelst's *View of the English Government in Bengal*, observing, however, that the first case does not appear in the list abovementioned. Verelst has left it on record as his mature judgment: "as well might we transplant the full-grown oak to the banks of the Ganges, as dream that any part of a code, matured by the patient labours of successive judges and legislators in this island, can possibly coalesce with the customs of Bengal."³ The first case he cites to prove his point is as follows:—

"In the year 1762, a native detected one of his women in an act of infidelity. Throughout the East, women are wholly subject to the will of their master, and every husband is the avenger of his own wrongs. The man, therefore, satisfied of her guilt, proceeded to punishment, by cutting off her nose. He was arraigned at the Calcutta Sessions. He confessed the fact, but urged that he had done nothing to offend the laws and customs in which he had been educated; that the woman was his property; and that, by such customs, he had a right to set a mark upon her, for her infamy; that

¹ The House of Commons, on Feb. 25th, 1788, called on the Court of Directors to produce a copy of the Proclamation, but apparently this order was never complied with. I have been unable to trace this document either among the India Office Records or those of the Calcutta High Court. But see Long: *Selections*. p. 430.

² See Appendix. Sir J. F. Stephen cites this paper but gives a wrong reference.

³ Verelst: *View*, etc. p. 134.

he had never heard of the laws by which they tried him; did they believe that if he had known the punishment to be death, he would ever have committed what they now called a crime? The man, notwithstanding this defence, was condemned and hanged; for, if the Court possess jurisdiction, they must proceed according to the English laws."¹

2. The second case is interesting as forming a precedent for the Supreme Court's sentence upon Nanda Kumar ("Nuncomar") on his conviction of forgery. "The amazing extent of public and private credit in Great Britain," writes Verelst in 1773, "has induced our legislators to punish forgery with death. Under this law a native of Bengal was condemned in the year 1768. But so extravagant did the sentence appear, where experience had never suggested the principle, such the disproportion in their eyes between the punishment and crime, that the principal inhabitants of Calcutta expressed their astonishment and alarm in a petition to the Governor and Council; and, upon a proper representation, Rada Churn Metre received a pardon."²

Verelst, in his *View, etc.*, devotes a whole chapter to maintaining "the impossibility of introducing English laws into Bengal." He points to native customs absolutely irreconcilable with English principles—polygamy, child-marriages, the customs of the harem, etc., etc.; and reflects upon the fact that in Great Britain "not less than one hundred and sixty felonies are created by acts of Parliament." He recognises that Europeans in Indian settlements must be subjected to British civil and criminal law, and for that reason urges that, with the exception of the few district officers of the Company, Europeans should not be allowed to reside outside the Company's territorial limits. The principles, which his oppressively pompous sentences make it difficult for the reader to follow, are practically these:—

1. The laws of England are the result of centuries of varied experience, and minute science, and are adapted only to a free people.
2. The natives of Bengal are not capable of receiving a free government, and therefore cannot receive the law of a free people.
3. As the natives must be left to their own customs and laws, justice must be administered by native judges: but to prevent "independency," the Governor-General and Council should issue edicts from time to time, for "power must reside in the conquerors."

¹ Verelst: *View etc.*, p. 26.

² *Ibid.* p. 141 and Appendix p. 177. See also collection no 8. India Office Record Department, Parliamentary Branch and Long: *Selections*. No. 840. Radha Churn Mitra was a grandson of Holwell's old foe, Govindram Mitra, the "Black Collector" of Calcutta.

4. A Court of English justices, assisted by worthy natives, might hold an appellate jurisdiction, but "to invest Europeans with an original judicature throughout the country would be productive of infinite oppression."

The replies of the Collectors to the enquiries addressed to them in 1790, show that the idea of maintaining a British Government in India, and yet leaving the native law substantially unchanged was an idea which rested on inadequate information both as to the character of Muhamadan civilisation and the actual circumstances of the country. Verelst held the view that English law was a monument of perfection—a view commonly held by Englishmen at that time. To us the eighteenth century criminal law is not an amiable subject for contemplation. Its introduction, as it stood and as it was developing itself, into Calcutta, was bound, as in the instance of the punishment of forgery or petty thieving by death, to have deplorable consequences: on the other hand the introduction into Bengal (for British subjects and their dependents) of the English law with all its imperfections and excesses, was a necessary step towards the substitution of a carefully considered criminal and civil code, adapted to the people for whom it was intended, and patent to expansion and revision, according to the ever changing circumstances of the State and the conditions of native life.

The weakness of the Judicatures of 1723 and 1753 arose from the fact that they tended to be in fact but branches of the Company's executive government, and they therefore afforded imperfect means of resistance to the class interests of the Company's servants, at a time when the Company's servants were bidding fair to monopolise the trade of the Country.¹ It would occupy more space than the nature of our general subject would justify if we were to undertake a discussion of the charges brought against these Courts by Bolts in his *Considerations*. It may be held that Verelst does satisfactorily meet these charges, but it must also be admitted that in doing so he unconsciously betrayed the weakness of a system under which executive government and judicial authority were combined in the hands of men who had commercial interests of their own to defend.² The Aldermen of the Mayor's

¹ In 1767, however, the Mayor's Court protected, in despite of the Governor and Council, a Mr. Atkinson who, having obtained the Company's permission to go from Fort Marlborough to China, came instead to Bengal.

² Bolts points out: "By the Charter of George I, the Mayor's Court had the power of electing their own members to fill up vacancies; and, while such continued to be the practice, that Court was the bulwark of all security with regard to property in the settlement, and might be considered in a great degree as independent. Indeed it was so much so at that time (before the Company had adopted, in so common and frequent a manner, the practice of seizing persons and sending them prisoners to England) that it was deemed inconvenient to the Company who has many decrees given against them, and this was thought the great defect before hinted at, against which, though not expressed, the Company petitioned the Crown, and obtained the Charter of George II, whereby the right of electing Aldermen was transferred from their own body to the Governor and Council, who thereby had the unconstitutional power given them of making and unmaking the judges." *Considerations*. Vol. I. p. 85.

SOME RECORDS RELATIVE TO THE MAYOR'S COURT.

Court were as a rule anything but what the term "alderman" etymologically implies: they were mostly junior servants of the Company in the days when the Company's servants, without any special training at home, began their Indian career a little more than midway in their 'teens.¹ Nor was the Charter itself so explicit a guide as occasion required: it left room for doubts as to the amenability to *sub poena* of witnesses residing beyond the Marhatha Ditch:² and left room for doubts which could not be dispelled without a tedious reference to law authorities in England.³

From the *Sixth Report of the Committee of Secrecy 1773*, we learn that, where debts had to be realised from natives living outside the limits of the Company's Settlements, other methods than recourse to the Mayor's Court were resorted to. "Where the debtor was dependent on, or connected with the Company, in the course of commerce, and residing (as these persons generally did) in the neighbourhood of any of the Company's settlements, the general practice was to lay hold of his person by their own authority, without applying to any Court or Officer of the Government,⁴ and they sometimes ventured to exercise the same right, even where the debtor did not fall under that description; but this was an abuse, though generally overlooked by Government. In the former case, the Government tacitly allowed and countenanced the practice of seizing and detaining the debtor, it being much the disposition of the Government to give all encouragement to the Europeans, from whose commerce their country then derived such considerable advantages. In cases where it was not thought prudent to proceed in this manner, the only remedy was by application to Government; but your Committee were informed that there was seldom occasion to make use of either of these ways to compel payment of any debt to the Company or its servants, for that the persons dealing with them reaped so much benefit from that connection, that there seldom arose any dispute between them. . . . The French and Dutch exercised the same privilege of seizing their debtors, and even continued the practice after the Company's acquisition of the Dewanee."⁵

In 1774 the Supreme Court of Judicature took the place of the Mayor's Court, and at once commenced a conflict between the Judges and the Governor-General's Council as to the Court's right to intervene in causes in which the revenue and the revenue officers were concerned. It is, therefore, interesting

¹ On the occasion of Nanda Kumar's trial, the combined ages of the Under-Sheriff of Calcutta, and the acting Persian Translator scarcely amounted to 42.

² The eastern boundary of Calcutta.

³ See *Sixth Report of the Committee of Secrecy 1773*.

⁴ By "Government" in this passage the Nawab's Government is meant.

⁵ "Your Committee find, by the Secret Consultations lately received by the *Lapwing*, that this practice having been lately prohibited by the President and Council, the French in very strong terms, remonstrated against this order, as a violation of a right which they had always held and exercised under the Country Government; but that the President and Council denied this pretension, and insisted that the French should have recourse to the courts of justice to compel payment of their debts: but your Committee do not find that this dispute has been brought to a conclusion."

to note that a similar conflict had arisen between the older Court and the Collector of Calcutta. In 1753 Holwell protested that "the bulk of the causes that come before the cutcherry are for sums cognizable by the said Court of Requests,"¹ and, on 1st March, 1754, the Mayor's Court write to the Directors, complaining that the Collector refused, at their bidding, to release a native whom he had confined and who was a party to a cause brought into their Court.

CHEYNE COURT, CHELSEA, }

August, 1912.

WALTER K. FIRMINGER.

I.

Correspondence Memo-
randa, Vol. 9.

TO THE KING'S MOST EXCELLENT MAJESTY.

The Humble Petition of the United
Company of Merchants of England
trading to the East Indies.

SHEWETH,

That your Petitioners have by a Strict and equal distribution of Justice within the towns Forts Factorys and places belonging to the said Company in the East Indies and other parts beyond the Cape of Good Hope to the Streights of Magellan very much Encouraged not only your Majestys Subjects but likewise the Subjects of other Princes and the Natives of the Adjacent Countreys to resort to and settle in the said towns Forts Factorys and places for the better and more Convenient Carrying on of trade by which means some of the said towns Factorys and places are become very populous and especially the town or place Antiently called CHINA PATNAM now Called Madras Patnam and Fort Saint George on the Coast of Cormondell and also the towns, Factorys or Places called Bombay on the Island of Bombay and Fort William in Bengall.

THAT in pursuance of Priviledges and powers granted to your Petitioners by your Royall Predecessors your petitioners have Constituted and appointed within the said towns or Factorys of Madras Patnam Bombay and Fort William severall Officers by the Name of the Governor and Council or president and Councill.

THAT there is a great want in all the said places of a proper and Competent power and Authority for the more speedy and effectual administring of Justice in Civil Causes and for the trying and punishing of Capital and other Criminal Offences and Misdemeanors committed within the places and districts aforesaid and for the better Government of the severall Factorys belonging to your Petitioners within the Limitts of trade Granted to your Petitioners.

AND for as¹ much [as the Granting to your Petitioners such powers as may Conduce to the punishing² of Vice Administring of Justice and better Governing

¹ Fort William Consultations 29 October, 1753.

your Petitioners Factorys and Settlements abroad will in the Consequence thereof greatly tend to the Increase of that branch of the National trade which is Carried on to the East Indies as well as to the Increase of your Majestys Revenues arising from same—

Your Petitioners therefore most Humbly beseech your Majesty to extend your royall Grace and benevolence to your petitioners and to grant them the Severall Priviledges Contained in the heads Abstracts or Particulars mentioned and Humbly proposed to your Majesty by your Petitioners in the Schedule or papers hereunto annexed.

And Your Petitioners shall pray &ca.

Signed by the Order of the Court of Directors of the said United Company.

THOS. WOLLEY.¹

II.

Court Minutes, Vol. 52, At a Court of Directors holden on Wednesday the
P. 177. 1st February 1726-7.

PRESENT

HENRY LYELL, Esq. *Chairman (and others).*

* * * * *

Mr. Woodford acquainted the Court that pursuant to Order, the three Charters were exemplied for the Factorys of Fort St. George, Bengall and Bombay, authorizing the Mayor and Aldermen at each of those Places to Try Causes Vizt. Felony, Injuries, Civil Actions, and Propertys, and in Case of Need to Appeal to the respective Presidents and Councils, and from them to the King and Council, likewise giving the necessary Authority to prove Wills, and Grant Administrations, that he had likewise Caused two Copys to be made for each Place with full Instructions how to make use of the said Charters in all Cases, Also several Law Books to Accompany the same for the better Information of the Courts to be establishd by Virtue of the said Charters.

Charters for trying Law
Suits at Fort St. George
Bengall &ca.

III.

Letter Book, Vol. 20.

Sent Per Bridgwater and Walpole.

London 17th February 1726-7.

OUR PRESIDENT AND COUNCIL OF FORT WILLIAM IN BENGALL.

1. Upon Application made to His Majesty, We have obtain'd His Majestys Royal Charter for our Settlements at Madraspatnam at Calcutta

¹ This document is preceded by a Minute of a Court held at St. James', 5th May 1726, mentioning the receipt of a petition from the Court of Directors urging compliance with the prayer of the above petition. The Court's Petition has not been copied as no new information appears. The Schedule and papers mentioned above do not appear.

at Fort William in Bengall, and at Bombay in the East Indies to enable Us by Vertue thereof to have our Affairs in all those Places and within the Districts therein mention'd, as also in all the Subordinate Factoryes of those Presidencys managed with greater Authority than ever hitherto, We apply'd to get the Mannagement of the Civil Affairs as near as We could agreeable to the Practice and Methods of the Mayors Court at Fort St. George, which have continued for many Years, and as You will see in the said Charter (of which we send you by the Bridgwater an Exemplification under the great Seal of this Kingdom) It begins and goes through first with all the Powers and Authoritys granted and Rules prescribed for that Place, And then proceeds to erect the like Courts and give the same Rules for our Settlements at Bombay and Fort William.

2. The said Charter appoints an Annual Sheriff to be chosen to be the last of your Council, and to return all the Processes of the Court (And nominates nine Persons to be the Court of Mayor and Aldermen, and as such a Court to Try all Civil Causes that may happen) To bring into Court all Persons complain'd of To hold them Bail or Confine them, and on being empower'd by Warrants to Seiz and Sell the Effects to make satisfaction to the several Persons, who by Decree of the Court on hearing the Cause have any Summs of money adjudged to be due to them, And in this the said Court have by the Charter a Power to frame Rules of Practice in the Proceedings.

3. There is a liberty reserv'd in said Charter to appeal from the Judgment of the Mayors Court to the President and Council, who are by this Charter made a Court of Record to receive it, and rehear the Cause, And if either Party think him, her or themselves then aggriev'd, they have liberty (in case the Sentence is for one Thousand Pagodas or upwards in Value) to appeal from the President and Council to the King in Council here under certain Conditions therein contain'd.

4. This Charter gives the President and Five of the Senior Council a Power to be and Act as Justices of the Peace and Commissioners of Oyer and Terminer and Gaol Delivery, To hold Quarter Sessions, and to proceed to hear, try and punish, in all Criminal Causes, except only of High Treason, as Commissioners of Oyer and Terminer and Gaol Delivery do in England appointing and Summoning Grand and Petty Jurys for those purposes.

5. We hope this Power will have that good Effect as to prevent all Persons from being guilty of wicked practices to subject them to the judgment of said Court.

6. Likewise a Power is granted by said Charter to appoint Generals by Land and Sea and Military Officers, and to Levy and Train Souldiers and resist Enemys, And further to Act as is therein directed, And therewith is granted an additional Authority to grant Probats of Wills and Letters of

Administration on the Goods and Credits of Intestates, or of those whose Executors are not on the Place as by the said Charter is fully directed.

7. You must from the time the Charter is to operate, which is to be within Thirty days after receipt hereof, take particular care to swear into the Office of Mayor and Aldermen the Persons appointed thereto, and in case of Death or totall absence others as directed, The appointments of the several Persons for Administring the Oaths of fidelity and those who are to take the said Oaths and Oaths of Office are so plainly directed in the Charter that there can be no mistake when once you have but read it over attentively.

8. We had elected a very ingenious and able Person to go along with the Charter to Fort St. George and assist there, and afterwards at Bengall and Bombay in the first setting out to put every thing in a right Method and Trace out the way at first with the Utmost exactness, And had agreed upon giving him a very encouraging Gratification for his pains and trouble and the time he must necessarily spend in all three Places, But some unhappy Accidents with a great Indisposition that hath lately seiz'd him has prevented his undertaking the Voyage and consequently the Employment.

9. However that you might not be at a loss or doubtful in any part of your proceedings, We herewith send you two written Books One by the Bridgwater and the other by the Walpole, Entitled Instructions for putting in Execution the East India Companys Charter, First as to the form and Method of proceedings in all Civil Suits, Actions and Pleas between Party and Party, Secondly as to the Method and Form of Proceedings before Justices of the Peace and at a Court of Oyer and Terminer and Gaol Delivery, Thirdly as to the manner and form of Granting Probats of Wills and Letters of Administration of Intestates Estates, To which is subjoin'd the form of some Oaths necessary to be taken in pursuance of the Charter, and which are not taken Notice of in the Instructions.

10. You will in said Book observe an instance in a Civil Case of prosecuting for a Debt, and a Supposition of all the Accidents that may happen in the whole of the Proceedings, many more than are likely, and if you find them attempted may with prudence be easily check'd so far as found dilatory and purely litigious, Also Instances of all the several Steps that can probably be taken before the Justices of the Peace and at Courts of Oyer and Terminer and Gaol Delivery with variety of forms of Warrants and other Orders, many more than in probability you will ever have occasion for, And the same as to the manner and form of Granting Probats of Wills and of Administrations, wherein the Civilians have taken in as We are told all that can well be said on that Subject, and more than ever you shall want to consult in the Cases that may come before you.

11. We likewise send you along with the said Instructions Two written Copys of the said Charter bound in a Book, one of each for the Common use

of the President and Council in Council, and the others for the Mayor and Aldermen at their Court.

12. It will require your utmost case in every step you take for putting in execution the Powers and Authoritys therein and thereby given and granted, which when read over attentively and duly consider'd together with the Instructions before mention'd will be soon render'd easy and familiar, and then with common prudence will doubtless be continued so.

13. If you apply heartily as We earnestly recommend to you to endeavour you will bring the Mayors Court though new with you at present into use and good liking of all the People for doubtless there doth arise among you at times some disputes in the matters of Meun and Tuum, and if you do exercise the other Powers with prudence and Justice (and We must tell You it is greatly incumbent on you so to do, for the very Intimations of Kings are commands and if not obey'd or their Grants not thankfully accepted and made use of as they ought may bring You as well as Us into a Premunire) We cant at present apprehend We have any thing more that We shall want of the Government as to our Settlements in India for the better Government of them, And the Authority We shall now act by being supported by one so much greater than Our own, Will redound greatly to the Honour of the Nation, and part thereof will cast a Lustre on your selves as the Instruments of putting it into operation.

14. As the Charter directs a Sherriff to be annually elected, so it directs other Officers to be chosen as well in the Court of Mayor and Aldermen as in that of Oyer and Terminer, but as you have a great many Covenant Servants, We hope they may serve the purposes of both without appointing any other English People into them, or any of them, We would have those most fit at present, or such as are most likely to be so by time and practice to be first put in, wherein one Person may possibly fill up two or more Stations, and though the business they are likely to be employ'd in will be but very little and seldom, Yet as they may think it very hard to officiate without some reward for their labour, Therefore We hereby direct You to appoint proper Fees according to their different Employments, But be sure to take care that they be very moderate and Suited to the Circumstances of the People, who are many of them very poor and can't bear the paying of such as We may here Account but small Fees, whereto We desire you will have a great regard, and send Us a Table of the respective Fees in all Cases for our Inspection and Judgment.

15. Be you particularly careful on your part and let the Mayor and Aldermen know That We also earnestly recommend to them to check the first beginnings of any oppressions, exactions Misbehaviour towards any or the least foul practice of the Attorneys and other Officers of the Court, Keep them all within due bounds of Decorum, and Discountenance all Attempts of

prolonging of Suits, In the Instructions are certain distances of times between one part of the Processes and what next is to follow, Let the Court curtail them as much as equitable may be, for Justice may be render'd Sour by delaying, The most expeditious it can be made in reason is thereby the better.

16. We hope you will never have occasion to put in Execution the Powers given you for exercising of Martial Law in time of War and open Hostility, as occasion may be and necessarily require and can legally be done, Therefore you should be very careful in your Proceedings.

17. By the Charter Three of the Mayors Court, the Mayor or Senior Alderman being One, may Try all Civil Causes, Yet We recommend to that Court to have always as many of their Members there in all Judgments to be given by them as possible, not only for the greater Solemnity but also for the more thorough Sifting all matters that shall come before them to prevent as far as possible the least mistake or Error in the Sentence given, as remembring they do in Judgment act in the Place of God towards the People, And according to the Scripture Expression, He that rules over Men must be just ruling in the fear of God.

18. As to the Proceedings in the several Courts of Record, It will be necessary to use Parchment in the several Writings as being most durable and to keep all safe from Vermine, therefore We send you Nine Rolls of Parchment, each containing Sixty Skins for use, On which let such moderate Sums be put as to the larger or smaller Pieces wanted, that We may be reimbursed our prime Cost with a small advance for Interest and Risco.

19. Send Us yearly Copy of the Register of your Court Books kept in pursuance of this Charter for our Notice and Observation how you proceed therein.

20. You will find in the Packets a List of the Statutes and some Law Books, which we have been advis'd to send You, as what may give you some light on occasion.

21. This Charter being principally design'd for the Government and benefits of Europeans, and many of the Natives who live with you having peculiar Customs of their own, We are willing they should still enjoy them, so as they live quietly and do nothing that tends to publick disturbance or breaking into the settled Rules of the Place, You must continue to be as hitherto you have been very careful to avoid as much as possible the putting any of the Moors to Death, unless the Crime be of a very high nature such as Murther and Piracy and the proofs thereof be very possitive and plain for fear the Moguls Governours make it a handle for raising Disturbances, of which it may not be easy to foresee or prevent the ill Consequences,

We are

Your Loving Friends

HENRY LYELL, *Chairman*
(and 18 others.)

IV.

Bengal Public Consultations,
Range, 1, Vol. 6.

Fort William August 1727.

(Extract from Consultation of Monday, 28 August, 1727).

The Box containing the new Charter &ca., Law Books come Per Ship
Charter &ca. Law Books Bridge water being come a shore was now open'd which
received, contained the following Particulars vizt.

King George's Royal Charter.
Statutes at large, five Vols.
Dalton's Country Justice.
Hawkins's Plea of the Crown.
Abridgment of the Statutes, 6 Vols.
Officium Clerici pacis.
Modern Justice.
Hale's Pleas of the Crown.
Blackerby's Justice.
Godolphin's Legacy.
Lex Testamentaria.
Praxis Cancellaria, two Vols.
Cursus Cancellaria.
Practicall Register in Chancery.
Copy of the new Charter.

The Honble Company's Genl. Letter, dated 17th February 1726-7 relating
Mayor & Aldermen to the Charter was now read a second time and very
chosen, seriously considered in all its Paragraphs.

WHEREAS Mr. John Sainsbury Lloyd who is nominated in the Charter to
be Mayor and several of the Aldermen therein named are absent, Pursuant to
the tenour of the Charter we have appointed the following Persons to be the
modern Mayor Sheriff and Aldermen Vizt.

Charles Hampton Esqr. Mayor
Mr. Thomas Braddyll Sheriff
Messrs. John Bonkett
Thomas Coales
Thomas Cooke
Henry Harnett
Robert Frankland
James Nevile
William Bruce
Matthew Wesley
Geo: Mandeville

} Aldermen.

V.

Bengal Public Consultations,
Range 1, Vol. 6.

Fort William October 1728.

Extract from Consultation of Thursday, 3 October 1728.

The Mayor's Court representing to Us that they are at the Monthly
Expenditure of one hundred five Rupees and eight Annae
for Peons and other necessary Servants to attend said
Court; and having no other way to support the said
Charges (All Fines &c. being by Order of this Board appropriated to the
Honble. Company's Use).

AGREED¹ thereof, that the Expence of Peons and proper Officers to
attend said Court be disbursed by the Zemindar, and brought into his Monthly
Account.

VI.

Bengal Public Consultations,
Range 1, Vol. 6.

Fort William January 1728-9.

Extract of Consultation of Thursday, 2nd January, 1728-9.

Ambassador's House to be the Town Hall. There being wanting a proper Place to hold the
Mayor's Court, as well as a Court of Oyer and Terminer, and to make a Town Gaol,

AGREED, That the Ambassador's House and Compound be appropriated
for that Service; and that a Tax be levied on the
Inhabitants of this Place to pay the same.

VII.

Coast and Bay Abstracts of
Letters Received, Vol. 2.

Extract of Fort William General Letter, dated 5th December 1727.

Para. 4. Thankful for his Majesty's Charter for Establishing a Corporation in Calcutta, which they publicly read with great Demonstrations of Joy under Triple Discharge of the Military and Great Guns, the Mayor's Court instituted, Aldermen a little puzzled at present in their Proceedings, but a little Practice will soon make every thing easy and believe every Man will act the honest part, they take it that their Court is not to be looked upon as a Court of Common Laws but a Court of Equity.

¹ (Sic) ? therefore.

VIII.

Coast and Bay Extracts of
Letters Received, Vol. 2.

Extracts of Fort William General Letter, dated 28th January 1727-8.

Para. 105, Shall esteem all Money raised by Fines in the Mayors Court as belonging to the Company¹ except that paid by Gentlemen who fine rather than officiate as Aldermen which is appropriated to the Mayors Court.

* * * * *

Para. 154. Send a List of Fees appropriated to the Mayors Court.

155. Have little or no Business to do at the Quarter Sessions more than remind the Kings Subjects of their Allegiance and to lead sober Lives &c.

156. The President and the three Seniors of Council taken the Oaths as Justices of the Peace and Commissioners of Oyer and Terminer. Mr. Hampton is Mayor and Mr. Braddyll Sherriff, hope this Charter will prevent wicked Practices.

157. Publickly read and proclaimed the Charter thirty days after the Receipt when it took place and swore the Mayor and Aldermen in their Office.

158. Send Copy of the Registers of their Court Book, wish it may be according to Method, have done their best and were Govern'd by their Instructions, hope in time to rectify their present Errors.

159. Receiv'd the nine Rolls of Parchment, have thought it more proper to keep their Records on Strong Paper, the Cockroaches being Lovers of Parchment and would soon eat them up.

160. Will take particular Care to permit the Natives enjoying their own particular Customs, and be cautious how they put any of the Moors to Death, when Mr. Surman and others were at Furruckseer's Court had liked to overset the Royal Phirmaund by requesting Power to punish the Mogul's Subjects with Death, the Moors alledg'd the Companys Charter could not extend to them who were Subjects to another Prince.

* * * * *

IX.

Correspondence Memoranda,
Vol. 9.

Mr. Woodfords Opinion upon the 165 paragraph² in the Governour and Councils Letter dated Fort William 28th January 1727-8.

¹ The Letters Patent to the Company granting them all fines from the Mayor's Court exists at the India Office. The original is on parchment and there is a printed copy. It is dated 17th Nov. 1727, the document establishing the Mayor's Court is dated 24th September 1726.

² This para. runs as follows :—

"Send the Case of Capt. Hurd's dying insolvent with their opinions thereupon, desire the Company will send them a determination how his effects are to be divided. *Coasts and Bay Abstracts*, Vol. 2.

It appears by the late Charter granted to the Company that the Mayors Court is impowered to Grant Letters of Administration and Probates of Wills as the Cases require.

And as the Clauses in the Charter relating to the one Case and the other are very particular and full Instructions have been sent for the putting the Powers in the Charter into Execution I must therefore refer the President and Council thereto and am apt to think that by a Careful Perusal thereof Satisfaction might have been gained or collected therefrom with respect to the present Question.

And I think it very evident that the Mayors Court have the Sole right to Authorize any person to be or to Act as Executor or Administrator and consequently that the President and Council are not Warranted to Act as Executors or Administrators or to take possession of the Effects or Estate of any deceased Person Nor can the Company in my opinion protect or defend any of their Officers in meddling with any deceased Persons Estates unless it is done in the manner and by and under the Powers and Authorities and directions contained in the Charter.

But supposing that an Executor had in due form proved the Will or that an Administration had been granted, The Rule of Distribution of the deceased's Effects, is first to pay off Judgments then Bonds of all Sorts and other Specialties under hand and Seal and then Simple Contract Debts or in other words Debts not under hand and Seal and it is just and right to pay Debts of Equal degree proportionably.

But it is to be remarked that the Debt due for rent may be distrained for by the Landlord preferable to any other Demand.

I do not find any such Clauses in the Act of the 5th of King George as are mentioned in the opinion of the President this Law having relation only to such persons against whom Commissions of Bankrupt[cy had been] issued in their Lifetimes.

THO. WOODFORD,
24th January 1728.

X.

Letter Book. Vol. 28.

24th January 1753.

Sent Per Egmont
Relating to the Charter.

OUR PRESIDENT AND COUNCIL AT FORT WILLIAM
IN BENGAL.

1. When the Reestablishment of our Settlement at Fort St. George was under our Consideration, We intended to have revived the Courts of Justice there which were granted by the Letters Patent of the 13th year of the Reign

of his late Majesty, but upon advising with Mr Attorney General, Mr Solicitor General (and Mr Yorke our Standing Council) We were informed that by reason of the taking of that Place by the French and their Possession of it afterwards, all the Powers and Authorities which by that Charter were granted for holding of Pleas in civil Actions at Fort St. George were at an end, and that it would be necessary for us to apply to his Majesty for a new Charter.

2. And there being some Defects in the former Charter and some Alterations necessary and that there might be an Uniformity in the Constitution of several Settlements in the East Indies, We were advised by the same Gentlemen to Petition his Majesty for leave to surrender our former Charters, and that his Majesty would be graciously pleased to grant Us a new one for our several Settlements, and accordingly his Majesty has been pleased to accept of such Surrender of our said former Charter, and to grant Us new ones for our principal Settlements in India, an Exemplification of which new Charter under the Great Seal of Great Britain We send you herewith, as also two written Copys of the present Charter and of the Surrender of the former bound separately, the one for the common Use of our Governour and Council, and the other for that of the Mayor's Court.

3. By the new Charter our President and Council and also the Mayor's Court are within Thirty Days after the Arrival thereof to qualify themselves as by this Charter is directed, and from that time all Powers and Authorities granted by the former Charters are to cease and to be no longer acted under, But all proceedings as well Civil as Criminal, which at the time of the Arrival of this Charter shall be then depending, are to be continued and carried on before their Jurisdictions without Abatement or Revival.

4. Our President and all our Council are constituted Justices of the Peace and Commissioners of Oyer and Terminer and Goal Delivery, and the Mayor and Aldermen who shall be such at the time of the Arrival of this Charter are continued in their several Employments, all Vacancies in the Court of Aldermen are for the future to be supplied and filled up by our Governour and Council, which We recommend and direct them to do out of our Covenanted Servants, if at such times there shall be a sufficient number of them fitly qualified and if not, then they must supply such Vacancies with the Principal Inhabitants of the Place.

5. The Mayor's Court are annually to return two members of their Body to our Governour and Council, out of which they are to chuse one to be Mayor for the ensuing Year.

6. There are several Rules and Directions relative to the Administration of Justice, varying from the former Charter, particularly for receiving Evidence upon Affirmation from such Persons who by their Cast cannot submit to take an Oath.

7. All Moneys, Securitys and Effects of the Suitors which shall be ordered into Court are to be deposited with our President and Council, for which the Company are to be answerable under such Exceptions as in the Charter are mentioned, and an Accountant General is to be appointed, who with the Register of the Mayor's Court is to keep the Accounts between our President and Council and that Court.

8. And in regard the Suing for small Debts according to the ordinary Method of Proceeding in the Mayor's Court is attended with a greater Expence than the Nature of such Suits can bear, a Court of Requests is by this Charter erected for Hearing and determining in a Summary way all disputes where the Matter in Question shall not exceed the Value of Five Pagodas.

9. These are the material parts of the Charter, which We at present think fit to take Notice of, but We strictly recommend it to You and to the Mayor's Court, that You would attentively read over the Charter, and that You and they will in all respects conform yourselves thereto.

10. Within Thirty Days after the Arrival of this Charter our President and Council are to take the Oaths of Allegiance and as Justices of the Peace and Commissioners of Oyer and Terminer and Goal Delivery, and must afterwards fill up the Vacancies if any among the Aldermen, who must take the Oaths directed by the Charter, being the same as were directed by the former Charter, the Forms whereof are to be found in the Book of Instructions sent out to the Mayor's Court with the former Charter of the 13th of the late King, and the Substance of this Charter so far as relates to the People and Inhabitants should be published to them in the same manner the former Charter was, for the Particulars whereof We refer You to your own Entrys with this Addition, that it should be known to such of the Natives as cannot in their Consciences condescend to the taking of an Oath, that their Evidence is for the purpose to be admitted upon Affirmation, or in such manner as they shall think most binding upon them to speak the Truth.

11. The Reason for this Indulgence to the Natives of India to give their Evidence by Affirmation is, That some Persons We are informed have lost their Debts and others have submitted to lye in Prison rather than to submit to the taking an Oath, an Instance of which was in the Cause of Cole and Deepchund, where the latter who could not from his Cast take an Oath withdrew himself, as he knew he must otherwise lye in Prison, as his Answer would not be received without being given in upon Oath, which his Conscience would not permit him to submit to.

12. And upon this Occasion We must observe that if the Orders of the King in Council made in this Cause have not been carried into Execution, It might be of great consequence to apply to Deepchund to put in his own Answer and to make his own Defence to Mr. Cole's Bill, as he can thereby State his

own Case better than any one can do it for him, and as such his Answer must now be received upon his own Affirmation, without putting him under the difficulty of taking an Oath.

13. The Court of Directors agreeable to the new Charter by an Instrument in Writing under the Company's Seal sent herewith, have obliged the Company to be answerable in the Terms of the Charter for such Moneys, Effects and Securitys as shall be deposited with their Governour or President and Council, and by an Order under the Hands of Thirteen or more of the Directors, they have authorized You to appoint an Accountant General, and directed him in what manner that Office is to be executed.

14. The Erecting of this Office of Accountant General is of the utmost Importance to the Suitors, and on that Account We have undertaken to be at the Expende of it, and that the Suitors shall not be burthened.

15. The Office itself is new, and a Person must be appointed by the Governour and Council to keep their Accounts with the Accountant General and whole Trouble the Register of the Mayor's Court will have by keeping the like Accounts with the Governour and Council and Accountant General is additional Duty to his Office, a proper Satisfaction should therefore be made to all those Officers for their Service, but what or how much that should be We cannot at present form any Judgment, as that will in a great Measure depend upon the Trouble they will have and the Advantage that may arise to Us from such Money of the Suitors as may be paid into and remain in our Treasury, and therefore We suspend for the present appointing any Salarys to these Officers, and desire You will let Us know your Sentiments what Salarys should be paid to each of them with your Reasons for the same, and in the mean time We permit and authorize You to make them such moderate Allowances for their Trouble as You shall think resonable.

16. As the Mayor's Court has been long in Possession of their Jurisdiction, so that they have established to themselves Forms and Methods of Proceeding We shall refer them to follow the same, and the Rules of Practice laid down in the Book of Instructions sent them by the former Charter, except in such Instances wherein they have deviated from the same, wherein We particularly Remark that they have suffered the Proceedings before them to be prolix and Impertinent, Whereas in the Bill and in the Answer the Partys Case and Defence should be stated in the most clear and concise manner, without Observations, Arguments or Inferences, all which ought to be expunged as Impertinent and as proper Arguments for the Counsel or Attorneys to make use of at the Hearing rather than to Insert in their Pleadings. We cannot help taking Notice, that Special Replications and Rejoynders with other special Proceedings have been admitted after a full Answer has been put in, All which We consider as Impertinent, and occasioning great delays, and put

the Suitors to a most unnecessary Expence. The Proceedings in the Cause between Dawson and Brooke contain flagrant Instances of this kind, and to prevent the like in future, We do hereby Will and order and direct You to acquaint the Mayor's Court, that after a full Answer is put in, no special Replication or Rejoinder or any subsequent special Proceedings shall be admitted in any Case whatsoever; But that after a full Answer is put in, the Plaintiff shall reply and the Defendant or Defendants shall rejoin according to the common or usual Form laid down in the Book of Instructions, and that thereupon the Partys to give such Rules for producing Witnesses and passing Publication as in the said Book is directed, which Method is as We are informed agreeable to the constant stated Rules of Practice in all the Courts of Equity in this Kingdom, and if any Attorney or Solicitor shall offend by inserting any scandalous or impertinent Matter in any Bill or Answer, We order and direct that the same be expunged, and that such Attorney or Solicitor and not the Client do pay the Costs occasioned thereby out of his own Pocket.

17. With respect to Criminal Proceedings, We have nothing to add to the Instructions already given, unless it is, that the Legislature having in the last Session made an Act of Parliament for better preventing the horrid Crime of Murder, several printed Copys whereof We send You herewith, So if the Commissioners of Oyer and Terminer think it may be a means to prevent or deter Persons from committing that horrid Crime, they may in Case of Conviction proceed to Judgment and Execution, and disposal of the Body in the manner that Act directs.

18. Having given our Directions with regard to the Civil and Criminal Jurisdictions granted by the Charter (Except the Court of Requests) it remains for Us to give our Instructions upon that Head.

19. An easy summary and less expensive Method for recovery of Debts than the common form of Proceedings allow has long been wished for, It has formerly been attempted at all or most of our Settlements, but We having then no sufficient Authority to hold such Courts, the Design however useful was to be laid aside. The many Acts of Parliament that have of late Years passed here for the erecting of such Courts in several Citys and Boroughs of this Kingdom together with our own Opinions sufficiently convinces Us of the Utility of such Courts. For these Reasons We petition'd his Majesty that by new Charter he would erect such Courts, which his Majesty has been graciously pleased to comply with.

20. And We send You herewith unders the Hands of Thirteen or more of the Court of Directors, certain Rules, Orders and Regulations to be observed by your selves and by the Commissioners of the Court of Requests, so far as respectively concern You, and We do in a particular manner recommend to You and to the Commissioners that in the first Nomination of Commissioners, and

in all future appointments of them our Convenanted Servants shall always have a preference or be first named, and if there should not be a sufficient number of them to answer this purpose, the rest must be made up out of the Principal Inhabitants.

21. We likewise recommend it to You that the Officers of the Court be as few and the Fees as moderate as possible, that the Suitors may find Relief without Oppression, and as this Court is calculated for the Benefit of the poorest of the People, We hope none of our Servants or of the Inhabitants that shall be nominated as Commissioners will decline the Service, as by an honest and faithful discharge of their Duty they may be a Blessing to the People.

22. And for your further Assistance in carrying this part of the Charter in Execution, We send You several printed Acts of Parliament whereby the like Courts are established in this Kingdom, and We leave it to your President and Council with the Assistance of the Commissioners besides the Orders and Instructions We now send You, to take such other Parts of the several Acts of Parliament, and to establish such further Rules and Orders of your own, as in your Opinions will best conduce to those good Ends for which this Power was desired and obtained, subject always to our Controul and Alteration.

23. And as this Court of Requests will at first be at a Loss with regard to the form of their Process and Order and the Method of keeping their Books, We send You with this dispatch a Book of Instructions upon this Head with an Appendix thereto containing the Forms their Orders and Process, and the Method of keeping such Books as will be necessary, and which are agreeable to the Forms and Methods made Use of in the Court of Requests here, And We recommend it to the Commissioners to follow the same Rules unless any better Method occurs to them, which as often as it does, they are at Liberty to pursue their own.

24. You will perceive by our Instructions with regard to the Court of Request, that all Money ordered to be paid into Court, must be paid unto and lodged with the Clerk of the Court to be paid over to the Plaintiffs according to the Commissioners Orders, at present these sums will be small, and such as the Clerk of the Court may himself be sufficient for, but in time, and as this Court may happen to take with the People considerable Sums may be lodged with the Clerk, We recommend it therefore to the Commissioners to have a watchful Eye to this Matter, and whenever they think it necessary to call upon and oblige their Clerk to give sufficient Security to their Satisfaction, to be answerable to the Suitors for all Moneys which shall be paid into their Hands under any Order of Court.

25. And to prevent Persons suing in the Mayor's Court, where the Matter does not exceed the Value of Five Pagodas, We have made an Order,

which We send You herewith, whereby the Mayor's Court are in all Cases directed not to allow the Plaintiff any Costs, but to oblige him to pay Cost to the Defendant.

26. In the framing of this Charter, We have endeavoured to obtain all such Powers and Authorities, as might best tend to the Advancement of Justice, the due Administration of it, and the good of our Settlements, but as the best concerted undertakings however well intended oftentimes fall short of their Institution, and when put in Practice, many Errors and Defects are discovered, so We desire You our President and Council and likewise the Mayor's Court, the Accountant General and the Court of Request from time to time to transmit Us particular Accounts of their several Proceedings in their several Jurisdictions and Office, pointing out to Us any further Alterations Powers and Authorities that may be necessary, or wherein the present should be varied, That so far as our Authority extends, We may assist them, so as to render this Charter as Useful and extensive for the publick good as can be desired.

27. We likewise desire and Direct You to inform the Mayor's Court, Accountant General and Court of Requests of so much of this our Letter as relates to them respectively, and to give them Copys of such part thereof as they may desire.

<p>LONDON,</p> <p>24th January, 1753.</p>	}	<p>We are,</p> <p>Your Loving Friends,</p> <p>WILLIAM BAKER, <i>Chairman</i>,</p> <p>(and 22 others).</p>
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XI.

<p>Bengal Letters Received Vol. 2.</p>	<p>TO THE HON'BLE THE COURT OF DIRECTORS FOR AFFAIRS OF THE HON'BLE THE UNITED COMPANY OF MERCHANTS OF ENGLAND TRADING TO THE EAST INDIES.</p>
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May it please Your Honours.—

* * * * * *

Para. 154. Upon receipt of your Honours Packet Per Egmont We read the Exemplification of his Majesty's New Charter sent us by that Ship, and on the 5th day of October Promulgated the Same. The first thing We did was the Appointment of Twelve Commissioners for the Court of Requests, as many of which as We could We chose out of your Honours Covenanted

Servants. We then appointed Mr. Thomas Coales Accomptant General as directed in the Charter; and We have transmitted the two Courts such Paragraphs of your Orders as relate to them, Agreeable to your Honours Commands to us.

155. Your Honours will perceive by our Consultations what has since pass'd between us and the Court of Requests in regard to the Establishment of that Court with Officers and Allowances on the most reasonable footing; and as the Fees settled by Act of Parliament for Courts of the Same Nature in England were esteemed too extravagant for this Country We agreed to make the Officers of that Court certain reasonable Allowances and Levy a Duty of 5 Per Cent. on all Suits determined there, which was Accordingly done, and Continued till after the Ballott for New Commissioners in the beginning of December, When they inform'd us by Letter that the Peons they had hitherto entertain'd by our Orders were not Sufficient, and that they were in want of further writing Assistance, the Business of that Court encreasing daily, upon which We left it to them to make what Allowances they thought proper, and Collect a larger Duty for the reimbursement of such Advanc'd Charges.

156. As the Charter directs all Suits under 5 Pagodas should be Prosecuted in this Court, We order'd the Zemindar should not take Cognizance of any disputes of Property under 20 Current Rupees, to prevent the Jurisdiction of the Cutcherry and that Court interfering with one Another and Creating Continual Contests between them.

157. Three of the Members of the Mayors Court being absent at the time the Charter Arrived, and not Coming in time to Qualify themselves for their Seats on the Bench, We have appointed Messrs. Valicourt, Verelst and Fullerton Aldermen in their room, as one of the absent Members has been out of the place more than a Twelve Month, and there is no Probability of the other Two returning within that time. The reason of our not filling up these Vacancies at the time of Swearing in the Mayor and Aldermen was the ground we then had to Imagine they would arrive very quickly, but from Advices Since received that not being possible, We thought it for the Advantage of the Place that the Administration of Justice should not be confined to so small a Number.

* * * * * *

FORT WILLIAM, }
The 4th January, 1754. }

Yours faithful, &c., &c.,

ROGER DRAKE JUNR.,
 (and eight others).

XIII.

Bengal Public Proceedings
Range I. Vol. 26.

FORT WILLIAM,
The 20th September, 1753.

At a Consultation present,

The Honble. Roger Drake, *President*, &c., &c.

* * * * *

Being met this morning to peruse the exemplification of the new Charter, with the several papers belonging thereto conformable to the Honble. Companys directions.

Read the Honble. Companys separate Letter dated the 24th January, 1753 relative to the Charter.

Read the exemplification of the new Charter and compared the copies with the original.

Read the rules Orders and Directions for the regulation and Government of the Court of Requests.

Read the order for appointing an Accomptant General.

After having read the above papers, We proceeded to the appointment of Commissioners for the Court of Requests which are as follows :—

Henry Kelsall.
Thomas Coales.
James Valicourt.
William Billers.
Samuel Waller.
William Tooke.
Francis Sykes.
John Browne.
Nathaniel Wilson.
John Knox, junr.
Thomas Purnel.
Joseph Githen.

Ordered the Secretary to give them notice thereof.

Agreed that Mr. Thomas Coales be appointed Accomptant General agreeable to the tenour of the Charter, and that Mr. Amyatt do keep the account of the Deposits on behalf of the Company.

Ordered a Copy of the Charter be deliver'd the Mayors Court after publication and

Agreed that the Charter be promulg'd on the 5th October next ensuing in the great Hall of the Fort

Order'd notice thereof to be affix'd at all public places in the several Languages.

XIV.

Bengal Mayor's Court Proceedings, CLV. Vol. 27.

CALCUTTA

28th September 1753.

The Register produced to the Court a Letter Sealed with the Company's Seal Directed to William Nixon Esqr. Mayor of the Town of Calcutta Messrs. Holland Goddard, Peter Noke, Robert Halsey Baldrick, Richard Court, George Gray, Samuel Oliver, David Rannie and Bartholomew Plaisted Aldermen of the said Town of Calcutta in the Kingdom of Bengall which he Informs the Court was lodged in the Registry in his absence and said to be sent by Mr. John Cooke the Governour and Councils Secretary on Wednesday 26th Instant about Noon.

Ordered the Same to be open'd and read which being open'd and read was found to Contain as follows.

TO WILLIAM NIXON ESQR. &C. &C.

GENTLEMEN,

The Honble. Company having thought proper to surrender up their former Charters for all their Settlements in India his Majesty has been graciously pleased by his Letters Patent under the great Seal of England to grant them new ones for their said Settlements with the alterations therein by them requested and thought necessary The Exemplification for this presidency being arrived the Honble. the President and Council have Determined to promulgate the same on Fryday the 5 of October next ensuing and as the present Members of the Mayors Court are therein Confirmed Mayor and Aldermen of this Town I am Directed to require your Attendance in the Great Hall of Fort William on the before specified Day at 9 a Clock in the forenoon with the Several Officers of your Court and all the Formalities thereto belonging in the same Manner as is practis'd at the Election of a New Mayor then and there to hear the same promulged and take the Oaths of Allegiance and Office.

I am Gentlemen

Your most Obedient Humble Servant,

FORT WILLIAM,

JOHN COOKE,

The 27th September 1753.

Secretary.

ORDERED the Register to address the Governour and Council that they will be pleased to transmitt to this Court one of the written Copies of the Exemplification of his Majestys Charter which the Court are informed the Company have transmitted to them for perusal before the Day appointed for taking the Oath of Office.

XV.

Mayors Court Proceedings
Range CLV. Vol. 27.

CALCUTTA,
4th October 1753.

(Extract of a letter from Mr Secretary Cooke to the Mayor's Court, dated Fort William, 2d October 1753).

I am directed by the Honble. The President and Council to acquaint you they think the transmitting of a Copy of the Exemplification to be perused before the Publication of it inconsistent with method but as his Majesty has been pleased to allow them as well as the Members of your Court the space of Thirty Days before you qualifie your selves for your Offices by taking the Oaths in his said Charter Directed the Mayor and Aldermen may if they require it have a Copy and peruse the same (after the Promulgation of the said Charter) before they take the Oaths of office and Allegiance, please to inform the Members of your Court of the purport hereof.

ORDERED the Register to address the Honble. the President and Council to Acquaint them that this Court will attend at the Promulgation of the Charter as requested and that after the Promulgation the Court do request that a Copy of the Exemplification of his Majesty's Charter may then and there be Delivered them in Order to Inform the Members of the Nature of the office to which they are to be Sworn.

XVI.

CALCUTTA,
11th October 1753.

The Register produced the President and Councils Letter to this Court which being read contains as follows :—

TO THE WORSHIPFULL THE MAYORS COURT OF CALCUTTA AT FORT
WILLIAM IN BENGALL.

GENTLEMEN,

The Publication of his Majesty's New Charter having been Yesterday performed in the presence of the Inhabitants in General of this Town as well as your Selves the Honble. the President and Council have directed me to send you the following Papers for which I request a receipt may be given under the hand of your Register or otherwise as you think fit.

Copy of his Majesty's New Charter.

The Honble. Company's Order to the Mayors Court to give Costs to the Defendant when the Matter Sued for Shall not Exceed five Pagodas.

Extracts of such Paragraphs of the Honble. Company's Separate Letter Dated the 24 January 1753 as relate to the Mayors Court.

As all proceedings in your Court will now remain at a Stop till you have duly Qualified your Selves as by this Charter is Directed and as Such a

Stagnation to the Administration of Justice may be a Grievance to Numbers who have any Civil Pleas depending in your Court the said Honble. the President and Council have Directed me to signifye to you that they have fixed upon Thursday next for administering the Oath of Allegiance and Office to the Members of your Court and Request your Attendance on that Day in Fort William to take the Same.

FORT WILLIAM, }
6th October 1753.

I am Gentlemen,
Your most Obedt. Humble Servant,
JOHN COOKE.
Secretary.

XVII.

Bengal Public Proceedings
Range I. Vol. 26.

FORT WILLIAM,
11 October 1753.

At a Consultation present.
The Honble. Roger Drake, Esqr. *President &c., &c.*

* * * * *

Having appointed this morning to tender the Oaths of Office and Allegiance to the Mayor and Aldermen agreeable to the directions in the new Charter and the members of the Mayors Court attending in consequence of our Order for that purpose Swore them in accordingly.

XIX.

Bengal Mayors Court Proceedings Range CLV. Vol. 27.

CALCUTTA,
11th October 1753.

At a Court held Thursday 11th October 1753.

Present :—William Nixon Esqr., Mayor ; Mr. Holland Goddard ; Mr. George Gray ; Mr. Samuel Oliver ; Mr. David Rannie.

The Members of this Court as above named having this Day been Duly Sworn in their Office by the President and Council of Fort William now take their Seats on the bench to proceed on the business of their function and Office Messrs Peter Nokes R. H. Baldrick and Richard Court Aldermen being absent at Sea and Mr. Bartholomew Plaisted Alderman being Dangerously ill Could not Attend with the other Members to be sworn.

ORDERED therefore that the Mayor do attend the President and Council with the said Members the first Opportunity that shall offer, to present and See them Duly Sworn into the Office of Alderman and Judge of this Court.

ORDERED that the Serjeant do make proclamation commanding Silence.

ORDERED that Mr. Parker late Register do read his Majesty's Charter to the Publick which was read accordingly.

THIS COURT Observing his Majesty's New Charter gives them power to Nominate and appoint their own officers the Court Accordingly do now Nominate and appoint Mr. William Parker to be Register of this Court, James Meredith, William Dumbleton and Edward Ridge Attorneys and Thomas Tilley and William Cartwright to be Serjeants in the service of this Court who are now Sworn in Accordingly the President and Council having sent to this Court some Papers and Extracts as entered on this days record ordered that the Register do give a receipt for the same and that the Register do prepare and keep a separate book to enter attested Copys of all such Extracts and Instructions as shall be Directed by the Company to this Court to have recourse to them respectively on any Occasion.

ORDERED the Register to Draw out a fair Table of fees for the Regulation of the Officers of this Court in Order to lay before the President for the time being for his approval or Amendments and then after to Publickly affix them upon the Town Hall that all persons Concerned may Govern themselves Accordingly.

ORDERED the Register to search the Records of the Court and make Extracts of all Such Orders and Regulations for the Practice of the Court as have been from time to time appointed by the Members of the Court erected by the Old Charter and lay the same before the Court for their Inspection.

ORDERS FOR THE MAYOR'S COURT AT CALCUTTA.

WHEREAS his Majesty King George the Second by his Letters Patent under the great Seal of Great Britain bearing date at Westminster the Eighth Day of January in the twenty sixth year of his reign Did for himself his heirs and successors give and grant unto the said United Company of Merchants of England trading to the East Indies and their successors And did thereby Ordain direct establish and appoint that there should be for ever thereafter within the Town or Factory of Calcutta at Fort William in Bengall in the East Indies one body Publick and Corporate by the name of the Mayor and Aldermen of Calcutta at Fort William in Bengall and did thereby give and grant to the said Company and their successors and Did thereby Ordain direct and appoint that the Mayor and Aldermen for the time being at Calcutta at Fort William in Bengall aforesaid should for ever be and they are thereby Constituted a Court of Record by the Name of the MAYORS COURT OF CALCUTTA at Fort William in Bengall and that they or any three or more of them whereof the Mayor or Senior Alderman then residing there to be one May and they are thereby authorized to try hear and determine all Civill Suits Actions and pleas that shall or may arise or Happen or that had already arisen or happened within the said Town of Calcutta at Fort William in Bengall or within any of the Factorys subject or Subordinate to the said Company's Factory or Settlement at Calcutta at Fort William in Bengall or

to the Governour or President and the Council at Calcutta at Fort William in Bengall aforesaid Except as therein is mention'd and by the same Charter or Letters Patent his Majesty did give full Power and Authority to the Court of Directors of the said United Company or any thirteen or more of them to make such rules and Orders for the better Administration of Justice in the said Mayors Court as they should from time to time think fit and Necessary and by the same Charter or Letters Patent for the providing a more speedy and easy way for the Recovery of Small Debts within the said Town of Calcutta at Fort William in Bengall his said Majesty Did thereby give and grant to the said United Company and Did Direct and appoint that there should be a Court of Requests in the said Town of Calcutta at Fort William in Bengall who should have full power to hear and Determine all such Actions or Suites as should be brought before them where the Debt Duty or matter of Dispute should not exceed or be more than the value of five Pagodas AND WHEREAS Notwithstanding the Provisions made by the said charter for the suing and recovering of Small Debts in a Summary way yet Vexatious or ill minded persons may be induced to Commence or bring Actions or Suits in the Mayors Court at Calcutta at Fort William in Bengall where the Debt Duty or Matter in Dispute may not Exceed to be more than the Value of five Pagodas Contrary to the Intent and Meaning of his said Majesty's Letters Patent for preventing thereof we the Court of Directors of Merchants of England trading to the East Indies whose names are hereunto Subscribed and Sett being the Major part of the said Court of Directors in persuance of the several powers and authorities in and by the said Letters Patent givin and Granting (*sic*) unto the said Court of Directors of the said United Company do hereby ordain and Direct that if in any Action for Recovery of any Debt to be sued or prosecuted against any Person or Persons in the Mayors Court of Calcutta it shall appear to the said Mayors Court that the Debt to be recovered by the Plaintiff in Such Action Doth not exceed the Value of five Pagodas and the Defendant in such Action shall Duly Prove by Sufficient Testimony to be allowed by the said Mayors Court that at the time of Commencing such Action such Defendant was Inhabiting and Resident within the said Town of Calcutta at Fort William in Bengall or the factories or Districts Subordinate thereto and was Liable to be warned or summoned before the said Court of Requests for Such Debt then and in such case the said Mayors Court shall not allow to the said Plaintiff any costs of Suit but shall award that the said Plaintiff shall pay so much Ordinary Costs to the Party Defendant as such Defendant shall justly prove before the said Mayors Court it hath truly cost him in the Defence of the said Suit.

AND we do further Order and direct that this Order shall be in force and take place at Calcutta at Fort William in Bengall and the factorys and Districts

thereof at the Same time the Court of Request established by his Majesty's aforesaid Royall Charter shall take place there.

EAST INDIA HOUSE }
LONDON. }
24th January 1753.

WILLIAM BAKER,
(and 22 others).

XX.

CALCUTTA
19th October 1753.

This being the day appointed for taking into Consideration that part of his Majesty's Charter Relating to the Indian Natives and this Court accordingly taking the same into Consideration the Question was put whom shall be Esteemed and Looked upon as Indian Natives.

The Court do understand the Charter to Mean only Mogulls and Gentoos to be Indian Natives who are excluded Complaining to this Court one against the Other.

XXI.

Bengal Public Proceedings
Range I Vol. 26.

FORT WILLIAM,
29th October 1753.

At a Consultation present.

The Honble Roger Drake Esqr. *President &c. &c.*

* * * * *

The Court of requests send in a Letter to the board representing That they had mention'd the allowance we were pleased to direct for their officers to them, but that not one of them would serve on those terms, and as the business was very heavy they requested we would make the following salaries for which they were willing to serve

Bailiff	...	...	...	...	20
Cryer	...	...	...	...	10
Interpreter	...	...	...	...	20

that their Clerk declared, should we allow him 100 Rs. per month, he could not undertake to serve which they leave to our Consideration

Agreed the Secretary acquaint them we admit of the Salaries as they have settled them and are willing to allow their Clerk 100 Rs. per month, and that the Duty of 5 per Cent be Leyy'd till the new Election in December, when we shall regulate what may be thought necessary.

Mr. HOLWELL lays before the board an order affix'd in English, Persians and Bengall to the Fort Gate by the court of requests which runs in the following manner Viz. ordered that no Causes shall be hear'd in this Court that have already been heard and determined in the Cutcherry, And Also that whatever

peons are put upon any of the Natives for any Sum or sums of money Cognizable by this court, upon proper application, They shall be redress'd, and this to be a standing order, dated Calcutta 18 October 1753, Mr. Holwell begs leave to object to the latter part of the foregoing order and publication thereof, as unprecedented in any Court of Judicature whatever and tending not only to encourage a litigious spirit in the People, but also to throw any Odium on the Zemindarry to the certain Injury of the Companys Revenues in the most material article of daily Collections, That of Etlack, to say nothing of the Duty of 5 per Cent on the recovery of Debts, both which must be in a great degree affected by the Establishment of a court of requests, but much more so by the above very extraordinary order and publication, as the Bulk of the causes That come before the cutcherry are for sums cognizable by the said Court of Requests, Thus much he thinks necessary to represent to the Board, That they may not be surprised at the Daily Collections arising on Judicial part of the office being reduced

Ordered the Secretary to write to the said Court and require a further explanation of the latter part of that order

XXII.

FORT WILLIAM,

6th December, 1753.

At a Consultation present

The Honble. Roger Drake Esqr. *President &c. &c.*

* * * * *

THE CORPORATION now waited on the Board and acquainted them, They had as his Majesties late Charter directed elected two of their members (Messrs. William Nixon and Bartholomew Plaisted) to be return'd to them for their choice of one to be sworn into the office of Mayor

Agreed Mr William Nixon be sworn into the office of Mayor on the 20 Instant.

Agreed Mr John Cooke be sworn into the office of Sheriff on the same day

There being some Vacancies in the Mayors Court by the absence of their members.

Ageed we appoint Messrs James Valicourt and Harry Verelst Aldermen of that Court in the room of Messrs. Peter Nokes and Robert Halsey Baldrick.

[Here follows a long complaint by Messrs. David Rannie and Henry Kelsall, Aldermen against Messrs. Holland Goddard and George Gray. The complainants declare that his Majesty's gracious intention of preventing the estates of his subjects dying in India from going to waste and their just debts remaining unpaid, as mentioned in page 53 of the Charter, is frustrated by executors and administrators omitting to give inventories and accounts current of the estates with which they are entrusted].

XXIII.

Bengal Mayors Court Proceedings, Range CLV. Vol. 28.

CALCUTTA,

1st March 1754.

The following Letter being read and approved of by this Court.

ORDERED the Register to Copy out the same and transmit it to the Company by the Ship Falmouth now under her Dispatches TO THE COURT OF DIRECTORS for affairs of the United Company of Merchants of England trading too the East Indies.

GENTLEMEN

Your President and Council of Fort William have sent to the Mayor and Aldermen of Calcutta your Order for the Mayors Court Dated the 24th January 1753 and Several Extracts of your Letter Directed to the Said President and Council of the Same Date so far as related to the Mayors Court and among others that part of your Letter wherein you desire the Mayors Court from time to time to point out to you any further Alterations Powers and Authoritys that may be necessary or wherein the present Charter should be Varied that so far as your Authoritys extends You may Assist so as to render this Charter as usefull and extensive for the Publick Good as can be desired.

We cannot find that any Provision is made in the Charter How to Proceed in cases where the Bail dies the Defendant also being dead or withdrawn before full Satisfaction be made to such final Decree as has or shall be made on the case it being a point in Question here whether or not the Estate Goods Effects and Chattels of the Bail so dying are responsible and subject to an Attachment and Sale in Order to make full Satisfaction to such final Decrees as have or shall be made on the Case.

We are also at a Loss how to proceed in Cases of supposed Lunacy an Instance of this being now under our Consideration as follows—Mr. Solomon Margass of Calcutta by Letter or Petition Dated 9th August 1753 applied to the President and Council setting forth that Sophia Aratoon his Sister in Law then Living in his House was become a Lunatick and therefore prayed the President and Council as she had a Family and Effects to appoint a Guardian to her Person and Effects Soon after this Mr. Margass Vizt 23d day of September 1753 filed in the Mayors Court his Bill of Complaint against the said Sophia Aratoon Widow for a Debt on Account and She not having delivered in any Answer he Mr. Margass very Pressingly moved the Court for Judgment against her for Default When her Attorney at Law prayed the Court that Judgment might not pass against the Defendant for Default shewing for Cause that he had often Visited her but never found her Sufficiently in her Senses either to give him Instructions for her Answer or to take his Advice the Premisses Considered the Court thought Proper to defer proceeding on the

Case till advice could be procured from England and for that Purpose we here Inclose an Attested Copy of the Courts Proceedings hitherto had on the Case.

We Delivered to Your President and Council a Book Containing Copy of our Court Proceedings from December 1752 to December 1753 to be forwarded to You by Your Ship Durrington Captain Richard Drake, which we wish Safe to Your hands and referr you to the same for our Proceedings had on the 11th 22d and 25th Days of August 1753 and of the 2d, 20th and 23d November 14th, 18th and 29th December and 11th January 5th and 16th February 1754 in Consequence of a Bill of Complaint filed the 14th August 1753 (the Charter granted by his late Majesty King George the first being at that time in force) by Soodasibdoss Against One Gopaul Buddar both Inhabitants of Calcutta. You will observe the Court insisted upon the rights granted by the Charter whereby this Court Exclusive of all other Persons is empowered and Directed in the first Instance to try hear and Determine all Civil Suits, Actions and Pleas that shall arise between Party and Party within the Jurisdiction of this Town of Calcutta, but Mr. John Zephaniah Holwell Town Zemindar whose Duty is only to collect your Revenues did assume to himself and that in his single person a power and authority to try hear and determine Civil Suits Actions and Pleas in the Town and enforce his Decrees by Imprisonment and other Severities although he is no way warranted so to do either by the Old or New Charter, this occasioned the Court to require Mr. Holwell to release the Complainant Soodasubdoss then Imprisoned by him which he refusing to do, this Court applied by Letter under date 20th November 1753 to your President and Council to have the Complainant Soodasubdoss released, and that Mr. Holwell should be direct to receed from such practices in future and make proper satisfaction to this Court for such his refusal, but your President and Council have been silent hitherto on the matter and Soodasubdoss continues to be kept a prisoner which has reduced us unto the necessity of writing you on this Case.

We also refer you to the Copy of our Proceedings sent you for your Perusal and Opinion of several Orders and Rules of Justice which were thought proper to be made in the space of time contained in these proceedings and among others to that Order bearing Date 23d October 1753 relating to Executors and Administrators, but that not being thought sufficient by Mr. Alderman Rannie he made several motions under date of 30th October 6th 13th 15th and 20th November 1753 upon which many debates arose and these occasioned Mr. Alderman Rannie Joined by Mr. Alderman Kelsall, to exhibit a Charge and Complaint to your President and Council against Mr. Alderman Goddard and Mr. Alderman Gray, Copy of which charge and Copy of the Demur and Answer thereto We here Inclose as also Copy of Your President and Council their Proceedings had thereon when they dismissed the Complaint.

As several Deposits of Various Silver Rupees Coin'd in Several Mints of the Mogulls Empire, which had been made by Suitors into the Mayors Court under Directions of the Old Charter and remaining in the Court Chests when the New Charter arrived a list of which we herewith transmit you, the Court being willing that the said deposits of various silver Rupees of the Mogull Empire should be Preserved and Secured for the benefit of the Suitors in the Most Carefull and Effectual Manner and accordingly on the 12th February 1754 Ordered that the same should be deliver'd over to your President and Council of Fort William to be safely kept with Your Effects Subject to such Orders as the Mayors Court should from time to time think fit to make Concerning the Same for the Benefit of the Suitors Agreeable to the rules and Prescriptions laid down in the New Charter, of which Order having acquainted your President and Council they have this day informed the Court in a Letter from their Secretary of their Acceptance of the Same and the Deposits are now delivering over.

We are at a Loss to understand that Part of your Instructions to the Accomptant General of the Mayors Court, directing the Accomptant General to draw upon the President and Council for such Deposit as the Mayors Court shall order the President and Council to pay or deliver the Sutor as the form of the said Draft Contains a Proviso that in Case the said Draft be not Paid or Complied with in a Month after date then the same to be void NOW FOR AS MUCH as many Accidents may happen by which the limited time may be elapsed before such draught be paid or complied with and the Draft thereby become void the Question follows Which way is the Sutor to recover his Money or Effects.

As we observe by the New Charter that the Mayors Court is forbid hearing or Determining Suits between the Indian Natives Unless by Consent of both Partys a Case that we Conceive will Never happen, and so are left to Decide their Disputes among themselves but for want of a Compulsive Power to bring them to a Decision Property will become so Precarious among them that Persons injured will find themselves Obligated to Apply to the Country Government for Justice and therefore we Conceive will overthrow his Majesty's most gracious Intention of transmitting the Benefit of the Laws of England to his Most distant Subjects residing under Your Protection here abroad, Which we are of Opinion all those May be Deemed to be who reside and enjoy their trade and Property under the Protection of the English Flag be they of any Nation whatever HENCE a Settlement rendered so flourishing by the great Concourse of Indian Merchants to enjoy the Benefit of our Laws will be greatly Depopulated and Reduced to a fishing Town although Mr. Holwell in his Letter to our Register under date the 22d day of August 1753 has thought proper to advance and maintain that he in his single Person has a Power

from you to decide in Matters of Property yet should what he advances be true we are of Opinion that the Power of deciding of Matters of Property by him or any single Person finally will in the end prove ruinous to the Settlement for though he admits his Decisions are appealable to the President and Council yet some means must certainly have been found to hinder such Appeals for in a Course of many years we cannot find any Appeal ever was made nor do we believe there ever will be one though no doubt many Persons must have thought themselves aggrieved by some Decisions at the Cutcherry.

We request you will be pleased to give us your answer by the next opportunity.

CALCUTTA TOWN HALL, }
 1 March 1754. }

We are Gentlemen,
 Your most Obedt. Humble Servants,
 WILLIAM NIXON, *Mayor*.
 DAVID RANNIE.
 BARTHOLOMEW PLAISTED.
 HENRY KELSALL, *Aldermen*.
 JAMES VALICOURT.
 HARRY VERELST.
 WILLAM FULLERTON.

APPENDIX.

AN Account of the Several Persons who have been prosecuted in the Court of Quarter Sessions in Calcutta, for Criminal Offences, according to the Laws of England, from the 1st of January 1762 to the 1st of October 1774; Specifying the Names and Crimes of such Persons, together with the Dates of such Prosecutions respectively, and which of the said Persons were convicted, and the Sentences pronounced on such convictions.

Serial No.	Date of Prosecution.	Names of Persons tried.	Crime.	Verdict.	Sentence.
1	1762 Augst. 27th...	Loll Khan ...	Privately Stealing.	Not Guilty.	
2	Novr. 27th ...	Sook Deb, and Diaram	Murder ...	Do.	
3	30th ...	Enasse Gosaul ...	Felony ...	Guilty of an assault, but not of the Felony.	To be flogged at the Cart's Tail every Monday for a month with a cat of Nine Tails.
4	...	{ Owen John Soorkeas } { Kirporam Mollay }	Burglary ...	Not Guilty.	
5	Decr. 1st ...	Brijoo Hazerath ...	Felony ...	Guilty Stealing, Value 10 <i>d</i> .	Do.
6	...	L. Granidier ..	Murder ...	Not Guilty.	
7	3rd ...	{ Allady } { Panche }	Rape ...	Guilty ...	Death.
8	17th ...	Ramram ...	Murder ...	Pleaded Guilty	Do.
9	...	Caville ...	Burglary ...	Guilty ...	Do.
10	1763 Febry. 28th ...	{ E. Barry } { Dooberage }	Burglary ...	Not Guilty.	
11	1763. Augst 27th ...	Mignel Van Colsten ...	Murder ...	Not Guilty.	
12	Sept. 1st ...	{ Jaffier } { Golaum Hossein } { Occoor }	Burglary ...	{ Guilty ... } { Do. ... } { Acquitted. ... }	Death. Do.
13	Novr. 29th ...	Mary D'Rosario ...	Murder ...	Not Guilty.	
14	30th ...	Bernando ...	Felony ...	Discharged, the Prosecutor not appearing.	
15	...	Diaram ..	Felony ...	Guilty Stealing to the value of 10 <i>d</i> .	To be whipped at the Public Market Place Four successive Mondays.
16	Novr. 30th ...	Marshall Johnson ...	Assault ...	Guilty ...	To be imprisoned till next Sessions, then left to the Discretion of the Justices to release him, on finding sureties for his good Behaviour.

APPENDIX—*Contd.*

Serial No.	Date of Prosecution.	Names of Persons tried.	Crime.	Verdict.	Sentence.
17	... 1764.	Bridjoo ...	Murder ...	Accessory to the Murder	Death.
18	Febry. 28th ...	Collin Campbell ...	Assault ...	Pleaded Guilty	Fined £100, to be imprisoned One Month, and to find Security for his good Behaviour, himself in £1,000, and Two Sureties in £500 each.
19	May 28th...	Fras. Russell ...	Forgery ..	Guilty ..	To be whipped round the Town at the Cart's Tail.
20	Sept. 11th ...	Susanna ..	Murder ...	Not Guilty.	To receive 100 Stripes with a Cat of Nine Tails.
21	12th ...	Robt. Baker ...	Felony ..	Guilty of Stealing to the value of 10d.	
22	...	Jean La Finesse ...	Assault ...	Guilty ..	A small Fine.
23	Decr. 14th ...	Frederick Hinnings ...	Murder ...	Not Guilty.	
24	1765. Febry. 27th ...	Radachurn Metre ...	Forgery ...	Guilty ...	Death. Pardoned.
25	May 27th ...	Shake Sobdy ...	Felony ...	Do. ...	Death.
26	Augst. 27th ...	Contou ...	Murder ..	Do. ..	Do.
27	...	{ Cooil Mahomed Reza Kedaine Tittaoo Gauzee Ariff Babaaloo Cotubbe Monalda Anunderam and Noon Mahomed }	{ Felony and Murder.	Pleaded Guilty of the Felony.	Death.
28	Novr. 27th ...	Nathanl. Freeman ...	Assault ..	Guilty ...	Fined £50 and to be confined until he find security for his good Behaviour for Twelve Months.
29	1766 Febry. 27th ...	Bavauny ...	Murder ..	Not Guilty ...	Death.
30	...	Lallchund ...	Do. ...	Guilty ...	
31	...	Netow ...	Do. ...	Not Guilty	
32	May 27th ...	Lallbaharry ...	Do. ..	Do. ...	Death.
33	Augst. 27th ...	Duwahmerand ...	Do. ...	Guilty ...	
34	...	Rhomeney ...	Do. ...	Do. ...	
35	Novr. 27th. ... 1767	Manas Romken ...	Rape ...	Not Guilty	
36	Febry. 27th ...	{ John Poole Robt. Sherman }	Assault ...	Not Guilty	Death.
37	May 27th ...	{ Laurence Murray Betty ... }	Murder ...	Guilty ...	

APPENDIX—*Contd.*

Serial No.	Date of Prosecution.	Names of Persons tried.	Crime.	Verdict.	Sentence.
38		Anthonia Da Costa ...	Assault ...	Pleaded Guilty.	Fined £20 and imprisoned One Month.
39	Augst. 27th ..	Mark Mathewson ...	Felony ...	Guilty Stealing Value 10d.	Committed to the Public Gaol for 3 Months to be publicly whipped through the Town Twice, to receive each Time 100 Lashes on his bare Back with a Cat of Nine Tails; and afterwards to be committed to Bridewell to Hard Labour for 6 Months.
40	1767 Augst. 27th ...	Saml. Farley. ...	Assault ...	Not Guilty.	
41	Novr. 27th ...	{ Mathw. Callaghan Price Trumbull Walter Powers	{ Felony ...	Not Guilty.	
42	.....	Ram Gose ...	Murder ...	Do.	
43	.....	Sitteram ...	Do ...	Do.	
44	1768 Febry. 27th ...	Emandy ...	Murder ...	Not Guilty	
45	Novr. 27th ...	Wm. Macintosh ...	Assault ...	Guilty ...	Fined £20 Stg., and to find Security for his good Behaviour for 12 Months.

N.B.—The preceding Account is conformable to the Order of the Honourable House, so far as the Documents at the East India House will allow—the Proceedings of the Court of Sessions at Calcutta for the year 1762 only commencing the 27th August of that year; and there has been no Proceedings of the said Court received of a later Date than the 27th Novr. 1768.

It cannot be ascertained from any Document in the Company's Possession in Europe, which of the Sentences have or have not been carried into Execution, except that passed on Radachurn Metre who was recommended for Mercy, and afterwards pardoned by His Majesty.

EAST INDIA HOUSE. }
3rd March 1788.

R. HUDSON,

Pro. Exmr. of India Correspondence.

Narrative of the Campaign in Bengal, 1760—II.¹

THE troops had scarcely been settled a month in quarters at Patna, when the change which happened in the Government of Fort William, by the removal of Mr. Holwell, and the succession of Mr. Vansittart to the presidency, but more particularly the declining condition of the Nabob's affairs after the death of his son, called for the presence of Colonel Caillaud in Bengal. The Colonel had already presented a plan to the Nabob, and the Council of Fort William, for the re-establishment of the Nabob's affairs ; for the appointing a successor to the vacant command of his army ; for discharging the long neglected arrears due to his troops ; for their better maintenance in future ; and for the more regular and constant payment of the English forces.

This proposal was calculated for the exigency of the times and to be effected with little trouble or disturbance ; for the infirm state of the government, rent by intestine divisions and the unaccountable management of the Nabob, rendered still more intolerable by the incapacity and corruption of his Ministers, joined to the precarious tenure by which his own power subsisted, (the will and inclinations only of his distressed, injured, and complaining people) would admit of no violent measures without proceeding to dangerous extremities, and scarce any more at present than a temporary alleviation ; but the Colonel's proposal, meeting with some obstacles from the Nabob, and much more opposition from the then Governor and Council, he was at last compelled to leave the army and proceed to Fort William, to solicit that some other speedy remedy might be applied to evils so alarming, and that he might be enabled, if possible, to take the field again early the next season.

When Colonel Caillaud arrived at Moorshedabad, he visited the Nabob, and, at his request, imparted to him the opinion he had formed of his present circumstances. He described to him, without reserve, his unhappy state at home and abroad ; the pernicious consequences such a series of bad conduct as had for some time past prevailed, if persevered in, must produce ; and he then took occasion to point out to him the means by which he imagined his affairs might best and soonest be restored to their necessary order, to procure power to himself, and content to his subjects. The Nabob, after listening with much

¹ Reprinted from the *Asiatic Annual Register* of 1800—Miscellaneous Tracts—and continued from page 191 of *Bengal Past & Present*, No. 14, Vol. VII.

attention, appeared fully satisfied with the candour, and pleased with the freedom of the Colonel's declarations; and, after assuring him he should consider of his advice, he dismissed him with many professions of kindness and esteem; and the Colonel, having no further business at Moorshedabad, pursued his journey to Fort William. The new Governor and Council of that place had long been impatient for his arrival, to obtain a perfect knowledge of their own and of the Nabob's affairs to the westward, and of the country government in general; a subject they had been long considering, as they were extremely solicitous that some effectual method should be immediately resolved on, to extricate themselves from the ruin in which the Nabob, by his neglect and weakness, seemed to be very near involving both himself and them.

Mr. Vansittart, on his accession to the government, from this one circumstance alone, met with many difficulties to contend against. He found, that the Nabob, since the departure of Colonel Clive, had continued to entertain suspicions highly injurious to the English, to whom, it was evident, he was now only attached by his fears, conscious that by their support alone he could any longer preserve either his life or kingdom. Among the many causes of discontent, the following were not the least, nor the least complained of.

As the Nabob advanced in years, his tyranny increased, and he became insupportable to his subjects, among whom the noblest were discontent and disaffected to the last degree, incessantly engaged in cabal and faction, and restrained only by dread of the English power from deposing him.

The clamours of the soldiers at his capital for their pay were perpetual, and reached even to the palace, which they frequently surrounded, and scaled the walls, to the imminent hazard of his life.

His own forces in the field were in long arrears, and the English troops were obliged to remain unsatisfied.

No appearance either of policy or economy was any longer preserved, or pretended. By neglect of the former, every insignificant Rajah who rented land from this government detained the revenues, or paid them only as he saw there was a force to compel him to it; and the more powerful ones among them were in actual rebellion. By inattention to the latter, what little money came into the treasury was no longer employed to useful purposes, but profusely squandered away in licentious luxury.

The unlimited oppressions and the exorbitant extortions of his Ministers, together with their inhumanity, which extended even to the wanton and unjust deprivation of life, produced an universal odium. Add to this, that people of all degrees hourly exclaimed against the calamities they endured by the want of provisions; the unheeded distractions of the country having caused a scarcity unknown in the worst of former times, and by which the poor suffered inconceivable miseries.

There was no part of the original treaty with the English which the Nabob, on different occasions, had not infringed ; and they could no longer pretend to defend his government, or fight his battles, while he no longer confided in their councils, nor contributed to the support of their measures.

By maintaining a constant standing force, they had wholly exhausted themselves ; by which means they could neither make an investment of a cargo to send to Europe, nor, what was an object of much greater importance, could they, while such a system prevailed, give the least assistance to the army before Pondicherry, who were then distressed for money to carry on the siege, and who entirely depended upon supplies from Bengal. For a contingency so pressing as this, it was apparently necessary some salutary measures should be thought of ; and it was as obvious too, that the English should not permit an occasion like this to escape, of endeavouring to secure something for themselves, as well for present supplies, as a security against future accidents of the like nature. Conformably to these principles, a short time after Colonel Caillaud's arrival a plan was devised, considered, and approved of by the Governor, the Colonel, and the whole Council, from the result of which they proposed safety and advantage both to the Nabob and themselves, and peace and tranquillity to the public. As a previous introduction to the execution of this design, the Governor and Council desired the presence of the Nabob's son-in-law, Cossim Ally Khan, at Fort William, to consult with them on this critical occasion ; and the old Nabob consented to their request, and sent him. On his arrival, the sentiments and resolutions of the Governor and Council immediately made known to him ; and he was so well convinced, after a few conferences, of the equity and sincerity of their intentions, and so much approved the prudence of their councils, that he at once assented to assist them in the execution of them. After a short stay at Fort William, he returned to his father, to prepare him to receive what he himself had acceded to.

Soon after his departure, Mr. Vansittart the governor, and Col. Caillaud, followed him to Moorshedabad ; taking with them an escort of 200 Europeans, and one battalion of sepoys, both for their own protection, and likewise, if occasion required, to enforce that reformation which they were sensible, both for the service and safety of the Nabob, the Company, and for the public utility, it was indispensably requisite to establish. When they had been at the city a few days, the Nabob had a meeting with the Governor and the Colonel, to advise with them for the support of himself and his government, whose strength languished daily, and whose decay was not only prejudicial to himself, but, as their interest had been so long and intimately connected, also to the affairs of the Company.

The Governor, after a friendly introduction, delivered to the Nabob three papers, wherein were displayed, with equal propriety and clearness, the

misfortunes his kingdom laboured under, the precarious dependencies on which he himself retained his authority, every hour insulted, and in danger shortly of being despised and trampled on, thro' the maladministration of Ministers whom he had advanced to this degree of trust and power from being his menial servants. In them were represented the importunate cries of his injured subjects, oppressed by these Ministers, by the confusions of the country, and by famine, and a war which had overrun the kingdom, to the utter ruin of the province of Behar, and which might, but from his own imprudence, have been terminated long ago, but it still continued to rage with more violence than ever, without any more promising prospect of its being put an end to.

The conditions by which these errors might be retrieved, were comprised in a few words.

The absolute removal of his present Ministers was the first point enforced ; and, as the Nabob confessed himself, thro' the infirmities of age and grief, incapable of disengaging himself from the perplexities which everywhere embarrassed him, it was recommended to him to fix the administration of the government in the hands of Cossim Ally Khan, his son-in-law, whom he had long before expressed an intention of raising to the honours and dignities of his late son ; that the forces should be discharged their arrears ; that the people should be eased of their oppressions ; and, finally, that certain lands, in the districts nearest to Fort William, should be assigned over to the Company, to disburse the charges of paying their troops, their artillery, and other military expences ; and to enable them, also, in some degree to restore the declining commerce of the Company.

The Nabob heard, promised attentively to reflect, and to give an early reply to these articles ; but no sooner had he parted from the Governor, than, instead of expressing the least respect for his advice, he instantly entered again into close consultation with his old counsellors how to elude it, and disclosed every thing which had passed between the Governor and himself. The result of this was, that they inspired him with such a hatred and jealousy of his son-in-law, because recommended to him by the English, that Cossim Ally Khan could not any longer think himself secure from his resentment, nor even afterwards ventured to approach his presence. The Nabob also declared, that, could he this time only by any means deceive them, he would trust the English no more, and would take care to be sufficiently guarded against them for the future. In fine, he absolutely refused to consent that the least alteration should be made whatever. There was no other way now remaining, to bring the Nabob to reasonable terms, than by endeavouring to act upon his fears ; a measure which his son-in-law very readily espoused. No better or more convenient time could offer than what the next night presented, being the conclusion of a solemn Hindu festival, when every considerable person of

that sect would be fatigued by the tedious performance of their religious ceremonies.

Colonel Caillaud, therefore, as soon as the night approached, marched his troops into the city, where, as had been concerted, he joined Cossim Ally Khan with his forces; and when the dawn appeared, they approached, and entirely surrounded the Nabob's palace, while at the same time detachments were sent to seize the persons of his three Ministers. The Governor, solicitous that no blood should be spilt on this occasion, had sent a letter to the Nabob, by the Colonel's hands, to be delivered at a proper season; in which he laboured to persuade him to acquiesce in those demands which necessity required should be complied with. When the Colonel had drawn up a party of his troops within the court of the palace, he sent in the letter. Upon perusal of it, finding that his Ministers were seized, and that his palace was beset by the English troops, the Nabob burst into the most violent emotions of rage, denounced vengeance upon the English, threatened that he would make what opposition was in his power, and that he would never accede to the terms they demanded of him but with loss of life. However, this start of passion soon subsided, and availed him nothing. After an hour's intent meditation, when his mind had become calm he desired the Colonel might attend him. The Colonel went to him, and was detained a long time by the Nabob, which he employed in urging how vain all resistance must be to him, for in the end he would be compelled to yield; and he was at last convinced that his persisting was to little purpose;—notwithstanding which he remained inflexible; and, instead of assenting, as was hoped and expected, he, in a transport of anger and despondency, threw up every thing in despair, and declared he would from that instant relinquish the government entirely, conditioning only, that security should be given for the preservation of his life. He added, he could have no further concern in the government after an attempt like this, and that he too well knew the disposition of mankind, and of his countrymen, to think of trusting himself near Cossim Ally Khan hereafter, from whom he was convinced his life must be in perpetual danger. To this resolution he firmly adhered; and tho' the Governor came to him, and gave him the strongest assurances that not only his life was safe, but his government also of which he must be truly sensible it was never intended to deprive him, yet he remained fixed in his determination, and only requested that he might be immediately sent down to Fort William, where he wished to reside, under the English protection (for he had lost all other) in privacy and repose.

Upon the Nabob thus renouncing the government, to which no persuasions could recall him, Cossim Ally Khan, his son-in-law, assumed the title and authority of his father, and, as his first act of power, for the service the English had performed, he granted them all the advantages stipulated for the Company.

Every person of consideration in the city came to pay their respects to the new Nabob a few hours after his accession. The populace, of all classes, appeared extremely pleased with this revolution ; and the whole city was, the same day, as composed and quiet as if nothing uncommon had happened ; nor was there ever, perhaps, so considerable an alteration of so great and extensive a government brought about with less disturbance, or with more apparent satisfaction to a people in general.

The next day, the old Nabob, agreeably to his desire, was sent from the city to Fort William, under a strong escort of Europeans, to protect his person from the insults of the people ; and he was permitted to take with him all his private effects, his women, jewels, treasure, and whatever else he thought proper ; and he now resides at Fort William, supported by a very considerable income from his son. The happy effects of this event have already been experienced.—Many of the superfluous forces are reduced, by which means the Nabob is able to pay the necessary remainder ; many oppressions have been lightened, many grievances reclaimed, and many injuries redressed.

Narrative of MILITARY TRANSACTIONS in BENGAL,

in the Year 1761.

(WRITTEN IN MAY 1761).

By the recall of Lieutenant-Colonel Caillaud, who left Patna the last day of December 1760, the command of the army, and the management of Military affairs, devolved on Major Carnac.

At the time of his receiving this charge, the Shah Zadah was in peaceable possession of a considerable part of the province of Behar, and collecting its revenues within a few miles of Patna. His followers were greatly increased, by his having kept his ground so long, and from a kind of veneration which people of all castes have for the Royal Family. The Nabob's troops were almost outrageous on account of the immense arrear due to them. Colonel Caillaud had been necessitated to enter into engagements with them, on the part of the Nabob which the latter did not fulfil ; and, as the Colonel was gone, from whom, in consequence of his engagement, they had some hopes of relief, they grew almost desperate. To appease this ferment was the first difficulty the Major had to encounter, and which he found the harder to surmount, as there is no reasoning against hunger ; and they really had so much justice on their side, that he could not think of proceeding to extremities with them. He represented to them the necessity of removing from the neighbourhood of Patna ; how little their circumstances would be improved by remaining there, yet might be repaired by the fortune of a battle ; that by

refusing to accompany him, they must infallibly forfeit all future claim to the Nabob's (their master's) favour, and consequently all the stipend due to them. But this reasoning, tho' evidently calculated for their advantage, as much as the nature of their situation would admit, proved ineffectual.—Finding so little success in this way, and there being an almost absolute necessity of moving towards the Shah Zadah, in order to stop his progress, the Major determined on a march, and was in hopes this step would draw them away also ; but being under apprehensions for the city of Patna in case of their continuing behind, he was obliged to leave, for the protection of the city, more sepoys than he could well spare. The event fully justified his expectation : and this single motion effected what all his argument and entreaties had solicited in vain ; for, their fears instantly catching the alarm, and dreading the approach of the enemy while the English troops were separated from them, they soon after struck their camp, and followed.

To give them as little time as possible for recollection, the Major marched again the next morning, and continued his route till he arrived very near the enemy : not that he placed the least confidence in their support, or reliance on their attachment ; on the contrary, he had so much reason to doubt their fidelity, having a conviction that most, if not all, their jemidars were in actual correspondence with the Shah Zadah, as to be obliged to bestow as great a part of his attention on their motions as on those of that Prince.

Such was his situation when the day long expected arrived that the army were to meet the enemy, who appeared on the 15th of January on the banks of the Soane, a river which runs about three coss west of the city of Behar. Under cover of their cannon, the English forces immediately crossed in the face of and without any opposition from, the enemy, who retired to the distant shelter of some banks and ditches, left a clear passage, and thus missed the fairest opportunity that could have offered, while the troops were divided by the water, to take them at a disadvantage.—Tho' the Major had at first determined to cross, yet his surmise that some treachery might be attempted by the Nabob's troops, confirmed him in his resolution ; for, had the enemy attacked him in that situation, as he expected, the intervention of the river would have secured his rear from any ill designs of these suspected allies. When the guns and ammunition had passed the river, the army formed, and hastened to drive the enemy from their intrenchments, which they instantly abandoned, and retreated to another equally tenable with the former, had they been resolute to defend it ; but this too they quitted as the army advanced, and were dispossessed also from a third, before they made any stand, and drew up in some order upon the plain. The English still kept moving forwards, cannonading as they marched, and expected the moment the enemy's horse would begin the charge ; but a lucky ball from a twelve-pounder

killing the driver of the elephant on which the Shah Zadah was mounted, the beast, deprived of his guide, turned about, and conveyed his rider, with all his attendants of course, into the rear. As the Major perceived some accident had very much disconcerted the enemy, he thought he could never have a more favourable moment : he therefore ordered the line to move up briskly ; and, the artillery being served with uncommon activity and success during that juncture, the enemy first began to recoil, and presently after turned their backs, and fled in great disorder. While this was transacting, the Nabob's troops were busied in passing the river. The pursuit of the enemy continued about four miles, and deprived them of part of their baggage. When, at length, coming near enough to observe that the French troops brought up, and endeavoured to cover the rear, the Major determined, at all events, to make one push at them, that their escape, at least, might be prevented with the rest. The guns were, therefore, dropped behind under the guard of a battalion of sepoys ; and, with the Europeans and the remaining battalions, the Major moved up against the French troops commanded by Mr. Law. The French played six pieces of artillery upon the English as they advanced ; but, being levelled too high, the balls passed over them. The English Europeans, much to their credit, marched up to and passed these guns with shouldered arms. The French troops fell into disorder, and broke before any musquetry could reach them ; not a shot was fired on the side of the English, nor did they lose a single man. Mr. Law, with 13 or 14 of his officers, were then taken, with the French colours and about 50 men. The remainder, a few days afterwards, surrendered. The fatigue of the English, and the inactivity of the Nabob's troops, who, in spite of the most pressing entreaties, refused, as usual, to pursue, the affair was not so decisive as it might have been had these troops done their duty ; and the Prince, with his army, retired in safety beyond Bahar. He was allowed, however, no further respite than was necessary for the relief of the tired people, who followed him the morning immediately succeeding the battle. The Prince moved off with as much expedition as he could, and, taking the high road, by the Ganges side, marched upwards, with intent, as was surmised, to proceed by Patna to the Soane. Quitting, therefore, his track, the English crossed the country, placed themselves between him and Patna, turned him again to the southward, and, persisting to press close upon him, frequently found the fires of his camp still burning ; so that, in a very little time, his army retreating through a country they had before laid desolate, was reduced to the utmost distress for subsistence. In this extremity, being deprived of every resource, the Shah Zadah now condescended to propose overtures of an accommodation ; and, for this purpose, on the 29th of January 1761, despatched his buckschy Fuzeroolah Cawn, as his ambassador to the Major, to know the conditions he must accede to. But as the Major was not

sufficiently authorised to treat, he chose to wait for full powers from the Presidency, before he engaged in any direct negotiation; but insisted, as a preliminary demand, on the immediate dismissal of Komgar Cawn, which if the Prince chose to comply with, and would afterwards retire to the Soane, the Major promised to follow him no further than the banks of that river, where he would attend the Council's instruction; that Ramnarrain, the Rajah of Patna, would undertake to subsist him till their answer arrived; and with this reply the ambassador was dismissed. In the interim the marches of the English were rather quickened than delayed, so that on the 2d of February they were near surprising his camp. On their advancing so unexpectedly upon him, he sent back his ambassador, requesting a halt; but as that could by no means be complied with, he again moved off very fast, nor stopped till he had proceeded 12 coss. This precipitate pursuit had the proper effect in accelerating the Prince's acquiescence with the terms proposed to his ambassador, and obliged him to assent even to more than was stipulated; for he not only dismissed Komgar Cawn, but offered to repair, whenever he should be permitted, to the English camp. Reposing so much confidence in them, he accordingly, on the 6th of February, appointed the Major an interview at about two miles distance from the camp, and afterwards paid him a visit at his quarters where it was endeavoured to make him sensible how incapable the English were to act treacherously by him, and that he had nothing to dread on their part, who had much respect for his person, and the illustrious race from which he was descended. In the course of this conference, he appeared so well satisfied of their sincerity and professions, that he declared he had no other reason to allege for wishing to return to his camp the same evening, but to convince his people of the injustice of their suspicions regarding the safety of his person; after which he took his leave. The next morning the Major sent a gentleman to him, and all matters being agreed between them the same day, he confided in the assurances given him for the security of his life, honour, and maintenance, and, on the succeeding day, his camp was united to that of the English. The allowance agreed to be paid him was one thousand rupees per day, to be defrayed by the Nabob.

Having thus far accomplished his aim, the Major's next care was to get the Prince, as soon as he could, to Patna. In consequence of this, he left a detachment of Europeans and sepoys, with all the Nabob's troops, for the preservation of the country about Bahar, and, with the Prince, began his march for the city, which he reached, without anything material occurring during that interval, on the 14th of February. The troops encamped close to the west gate, between the city and the Prince, whose quarters were fixed at Bankpore, three coss west of the town. From that time to the 20th, there



MIMBAR OR PULPIT OF THE ADINAH MASJID.



TANDUAH. MIHRAB OF THE ADINAH MASJID.

was a daily expectation that the Prince would take up his residence in the city as he had promised, and which he was prevented from by his people, who, being, unacquainted with the manners of the English, and judging of them from the disposition of his own countrymen, concluded he would be cut off. Four or five days were spent in endeavouring to shew the injustice and absurdity of their apprehensions, and to remove them; but, finding it did not succeed, and imagining they might be trifling, and had no real intention to come into the city, the Major was at last reduced to the necessity of acquainting the bucksby, that his master's delay argued a diffidence in him which he had not merited; he was resolved, therefore, not to see the Prince again unless it was in Patna, and, till that time, he would stop all his former allowances. This menace had the desired effect; for the same night he requested, without further hesitation, that his principal eunuch might be admitted into the city, to prepare the apartments for his reception; and, the next day, he made his public entry, accompanied by about 800 Mogul horse, besides his domestics, the utmost care being taken to prevent too many of his people entering with him; and he immediately repaired to the citadel. From the time of the Shah Zada's coming over, and particularly on the first visits paid him in the city, he incessantly solicited to be publicly acknowledged as King of Hindustan, to have the cootbah (or public prayers) read, and money coined in his name; a distinction, he affirmed, would contribute, more than any other circumstance, to promote his cause; for the reputation of support from so powerful a body as the English, would give spirit to his partizans, fix the wavering, and induce many to take up arms in his favour. The scantiness of his allowance was another subject of discontent to him; and as both Mr. M'Guire, the Chief of Patna, and the Major, considered it very inadequate to his wants and dignity, they ventured, on their own authority, to add to it 300 rupees more per day. To convince them of the reasonableness of his expectations, the Prince had on several occasions produced letters from Nujeeb Cawn, the Emir-ul-Omrah; Shujah Dowlah, the Nabob of Oude; and other principal men of the court; tending to shew, that Abdallah, chief of the Afghans, who by his recent victory over the Mahrattas, had made himself master of Delhi, was much in his interests, and seemed disposed to place him upon the throne. But the Council at Fort William did not think it advisable to engage themselves precipitately in his cause, nor till they had further assurances, and he could make it evident he had himself such resources of friends and money as might give a promise of success.

Early in the month of March arrived from Beerboom, accompanied with a body of Europeans under Major Yorke, the Nabob Cossim Ali Cawn, and fixed his camp at Baycuntpoore; at which place Major Carnac went to meet him. At the very first conference, the conversation was introduced, by the Nabob's expressing great apprehensions of the Shah Zadah. Not thinking himself

sufficiently secure with the large force he brought with him, he sent both for Ramnarrain and Rajebullub, commanders of his army, with all their forces, from Bahar. These troops had been directed to remain near the city of Bahar, with a detachment under the command of Captain Champion. Upon their being withdrawn, it was not judged reasonable to leave the English by themselves, in a country so exposed; that detachment was, therefore, recalled likewise. The Nabob, being informed of this, was so much displeased as to mention, publicly in his durbar, the implicit obedience he expected from the English forces; a point the Major presently undeceived him in, by letting him know he should yield no further to his desires or commands than was consistent with the public service and his own honour. At his repeated instances, however, he remanded Captain Champion to his former station. On subsequent visits, the Major fully disclosed to him his sentiments concerning the Shah Zadah, and his opinion on the expediency of the Nabob's paying a visit to the Prince as early as possible. He likewise represented to him the scandal which must result to himself, and the detriment to his affairs, from so considerable an army lying inactive; and that with respect to the English, the expences of their forces was so enormous, they were solicitous a speedy end might be put to the troubles of the country. To this last observation he replied, that the English were bound, by treaty, to assist him with all their troops whenever he chose to demand them; that he might send them to Assam, if he pleased; and that he had furnished them with three provinces to defray their expences. With respect to the Shah Zadah, he appeared little inclined to see him at all, and as little disposed to favour him. But as it was thought it would have a good appearance, and might hereafter be of service to the Nabob's affairs if he preserved a good understanding with the Prince, the Major interested himself very much to this effect, and took uncommon pains to remove the many difficulties the Nabob had started to avoid an interview. But no argument could surmount the suggestions of his fear; and tho' the Major prevailed with him to grant part of his request, yet no persuasion could induce him to trust himself in the kella, or citadel; and, instead of visiting the Prince, he would only consent to give him a meeting at the English factory.—Agreeably to appointment, on the 12th of March, they met. The highest distinctions were at this conference conferred, by the Shah Zadah, on the Nabob; and he, in return, made the strongest professions of his attachment and allegiance; though there was soon very good reason to doubt of the sincerity of both. The Nabob is now heartily wearied of his guest, and frequently proposes dismissing him with a sum of money; for, as he is sensible of the little share of merit he can himself claim in bringing the Prince over to the English, he is, for that reason, jealous that they may hereafter make use of him against himself. As for the Shah Zadah, now he finds the English are not so sanguine in his cause as he imagined they

would be from the style of some letters he received prior to the battle; and as he has many reasons to be displeased with the Nabob for his suspicions, his neglect, and, above all, that he is so much stinted by him in point of money (for the Nabob will allow him no more than the 1300 rupees per day) scarcely a competence; these reasons, added to the expectations he entertains from Delhi, make him daily more and more anxious to be dismissed. This he solicits from the Major with uncommon earnestness, urging the detriment that will accrue to his affairs if he be detained any longer; and, if the letters he shews are authentic, it is very material he should set out for Delhi immediately, as the least delay may be the utmost prejudice to his cause, and occasion the nobles, for want of him, to set up some other person. The Nabob desires nothing more ardently than the Prince's departure; but the Major has hitherto evaded both their importunities on this point, desirous of the opinion of his own Government in answer to what he has written on the subject, and which he will wait for before he takes any further measures.—Should the Shah Zadah ascend the throne of his ancestors, of which he seems now to have some prospect, and this without either the Nabob or the English contributing anything thereto, they can neither have the least claim to favour from him hereafter. The friendship of a Mogul may be immaterial to us, but can never be so to the Nabob, were it only for the sake of securing the royal confirmation to the Subahdarry of these provinces; for, however the Chieftains may take upon them to appoint Nabobs, it is certain, according to the principles and constitution of the Mogul government, no man can have a legal right to be so, but by appointment from the Emperor.

Such has been the happy consequence of the victory of the 15th January, that the hitherto disaffected Zemindars are all disposed to make their submission, and the Nabob expects to be able to settle thoroughly the business of this province without moving further. Komgar Cawn, indeed, owing to the Nabob's indiscretion in withdrawing his forces, attempted to make head again, and ventured from among the hills. He recovered a small fort called Bellara, and had invested the most considerable one in the country, by name Cooserah. The Nabob could not have complained, if he had been suffered to recover the whole country; but it would have disgraced the English troops to suffer an enemy to be acting offensively in their neighbourhood. On this account Captain Champion was ordered in pursuit of him, who encountered him, and, after a smart skirmish, obliged him to retire once more within the mountains.

The Abbate D. Matteo Ripa in Calcutta in 1709—I.¹

MATTEO RIPA was born on March 29, 1682, at Eboli, Lucania, in the Diocese of Salerno. His mother was Antonia Longa; his father, Gianfilippo Ripa, of the Barons of Planchetella, followed the medical profession. In 1700, Matteo, then a student at Naples, felt a call to a more perfect life. With a view to go to the China Missions, he entered the Collegio Urbano *de Propaganda Fide*, at the end of 1705, together with D. Gennaro Amodei, a Priest of Città di S. Marco in Calabria. In 1707, Pope Clement XI, wishing to honour with the purple Mgr. Charles Thomas Maillard de Tournon, his legate in China, appointed 6 Missionaries to bear to him the Cardinal's hat. They were: D. Onorato Funari, D. D., of Tondi, then Parish-priest of S. Giovanni de' Fiorentini in Rome; Padre Guglielmo Fabri Bonjour, an Augustinian of Tolosa; Padre Giuseppe Cerù, of the Clerics Minor of Lucca; Padre D. Domenico Perrone, a Neapolitan; D. Gennaro Amodei, and D. Matteo Ripa.² Onorato Funari had already started with the rest, when a stroke of apoplexy made him drop out of the ranks. In January 1708, the 5 Missionaries reached London, disguised as seculars. After being detained about 4 months in the Thames, they sailed from England in the *Donegal* and the *Santa Barbara* on June 4, 1708. Arriving at the Cape on September 6, they left it on the 13th. On December 9, they were within sight of Sumatra; but, scurvy broke out among the crew and passengers, and the Captain of the *three* vessels which had been travelling together made for Bengal by the channel between the Nicobar Islands. On January 22, 1709, they sighted the Coasts of Orissa; but, on account of the shallow water, they arrived before Balasore only on the 26th.

The following interesting account of Ripa's visit to Calcutta, Chander-nagore and Bandel in February 1709 is taken from his *Storia della Fondazione della Congregazione e del Collegio de' Cinesi sotto il titolo della Sagra Famiglia di G. C.*, a work in 3 volumes (Napoli, Manfredi, 1832, Tom. I. 197-233), of which the Indian Academy, St. Mary's, Kurseong, possesses a copy. There exists an English abridged translation of it: *Memoirs of Father Ripa, during*

¹ Reprinted from the *Catholic Herald of India*, August 20—September 17, 1913.

² Ripa gives their age approximately: Funari, 41 years; Fabri Bonjour, 40y.; Cerù and Perrone, 36y.—Amodei reached China in 1710 and died at Quanqueu on July 22nd, 1715, not 34 years old yet Cf. *Storia*, III, 448, sqq.—Fr. Bonjour died at Pekin and was buried in the Portuguese or *Cha-la-rut* Cemetery there. Cf. H. CORDIER, *Bibl. Sinica*, II. 1032.

Thirteen Years' Residence at the Court of Peking in the service of the Emperor of China; with an account of the foundation of the College for the Education of young Chinese at Naples. Selected and translated from the Italian, by Fortunato Prandi. London, John Murray, 1844, small 8vo., pp. VIII—160 (No. XV of Murray's *Home and Colonial Library*), reprinted by Wiley and Putnam, New York, 1846. Cf. H. Cordier, *Bibl. Sinica*, 2d ed., Vol. II. 844; 1220. We have not seen this work, and we could have derived but little profit from it. What we present to the reader is not an abridged, but complete translation of Ripa's experiences in Orissa and Bengal.

We possess so few missionary accounts of Bengal in those early days that we cannot value Abbate Ripa's too highly. We trust it will be welcomed by such as are interested both in the origins of Catholic life in Calcutta and in the story of the gradual expansion of our metropolis. Calcutta, two hundred years ago, must have been a very primitive sort of place, indeed, when an Italian spelt its name *Golicatan*; when the *maidán* reached from the then Fort William as far as Portuguese Church, Murghihátá, and when the great botanical wonder was not the banyan-tree of the Botanical Gardens, but the tamarind-tree of the English cemetery.

[197] The twenty-sixth, early in the morning, our Captain sent the boat to land to apprise the Commissary of the Company, who lives in the town of Bellassor, where the French too and the Dutch have their Factors, of the arrival of our ship, and ask him to send the river pilot. Like the London Thames the river is full of sandbanks known only to the pilots who are acquainted with the river. The pilot was to bring the ship safely into harbour and bring with him a good provision of refreshments for the sake of the sick.

With the Captain's leave, our Father Fabri also went in the boat, to recruit his health and find something for Father Perrone, who suffered much from the aforesaid sickness and was resolved [198] to stop at Bellassor, until he should have recovered. It proved, however, unnecessary, for the refreshments cured him in a few days. Our boat returned with cows, pigs, goats, fowls, rice, fresh fish, onions, fresh cocoanuts, spinage, lettuce, headed-cabbage (*caroli cappucci*) brinjals, (*petronciane*),¹ a kind of sweet roots (radishes?), plantains (*plantani*),² and sundry other comestibles, all fresh and in abundance. When I saw the cows and goats, I took them for calves and kids, so small were they; but, when, to my great astonishment, I saw their young ones

¹ Pietro della Valle (1616) writes about *brinjals*: "It seems to me to be one of those fruits which are called in good Tuscan *petronciani*, but which by the Lombards are called *melanzane*, and by the vulgar at Rome *marignani*, and, if my memory does not deceive me, by the Neapolitans in their patois *molegnane*." Cf. YULE-BURNELL'S *Hobson-Jobson* (1886), s. v. *brinjaut*.

² *Plantani* are plantains. Further, Ripa calls them "figs."

sucking their mothers' udders, I judged they were goats and cows. Not only have these small goats the size of kids, but their horns are so small as if they had only just sprouted, and the cows have a hump on their back, and their legs are so slender and their feet so small that they look like those of deer rather than of cows.

At noon, there came another boat carrying the river pilots. Our Father Fabri returned with it, and he told us that in Bellassor, which stands on the sea-board, he had found there was a Church of one of their Augustinian Fathers, who was the Missionary of the place, as also of Pipoli and Bangia.¹ He had received him very affectionately and had presented him with two habits of his Order, the cloth being a texture of wild silk and filaments drawn from the bark of certain very white and very pretty trees. To us he sent a big box of biscuits, fresh bread and plantains, a fruit of which I shall speak further. Father Fabri told us also that this Father had said to him there were five hundred Catholic Natives in Bellassor; [199] but they were very much scandalised by our Europeans, especially by the Dutch. It is the reason of their tepidity, and of the reluctance of the Heathens in embracing our Holy Religion, while, on the contrary, great good is done inland, where the effects of these scandals are not felt.² He added that the Church was of masonry (*di fabbrica*) and pretty; that it was standing in the middle of two gardens, and that both it and some Catholic graves, built in the shape of pyramids, were the best buildings of the country, the houses, commonly consisting of earth, straw, and planks, being low and constructed without order.³ He gave us also the news that the French Factor had told him that all along that coast there was no ship bound for China; but, there were three of them in Ugli under Catholic captains (*di padroni Cattolici*), which were about to set sail for the Philippine Islands, and, if we went dressed like Ecclesiastics, for we had travelled so far in secular disguise, they would take us in gratis.

¹ It would seem, then, that Pipli and Bangia, two old Christian settlements, already in existence in the third decade of the seventeenth Century, were now merely visited. I discuss the position of these two places in my notes on Manrique.

² The reference to the Christians inland points to the conversion of the ryats of Don Antonio do Rozario, son of the Raja of Bhusna (Faridpur Dt.?). Don Antonio had himself been converted about 1663, while in captivity at Chittagong. The Bhawal Mission (Nagory, near Dacca) sprang from this movement, and many of our Dacca cooks are the descendants of those native Converts. The episode is one of the most interesting in the history of the Bengal Mission.

³ No trace now exists of this former church of Balasore. In 1825, the Danish, Dutch, French Portuguese and English factories of Balasore were a mass of ruins. Part of the walls of the old Church was still standing, as if to attest that the place had been visited by Missionaries. The Cyclone of 1832 did away with these relics of the past. As for the old Catholic Cemetery, I have never seen any later allusion to it. Fr. Sapart, who visited the place in 1865, says no trace of the old Mission could be found. Yet, about 1682, Balasore had about 700 adult Christians, and when Fr. P. Martin, s. j., writes from Balasore (January 30th, 1699) that he had been "in charge of more than a thousand Portuguese, who for more than six months were left without their Pastor," we might, think Balasore is intended.

In the evening of the twenty-eighth, the Captain sent the boat again to the shore for a new stock of fresh provisions. In the morning on the thirtieth, they returned with a cargo of it, and, in the afternoon, thanks to the tide, and with the river-pilot on board, we directed our course towards the mouth of the great Ganges river, to go and lie at anchor before the English Factory. That night, as the tide was against us, we cast anchor. Six hours later, the tide was in our favour, but we did not weigh anchor for fear of running against the two sandbanks¹ lying in front of the embouchure of that great river. [200] The next morning, however, the first of the month of February, and the eve of Our Lady's Purification, we went on as long as the flow lasted. It helped us to get safely beyond the said two great sandbanks and cast anchor in the mouth of the river. The river is so enormously broad that, to see both sides, one had to go up the main mast. After advancing another six hours with the tide, the river grew more and more narrow, until, to the great satisfaction of all, we could enjoy the sight of the two banks.

On the third, our ship lay the whole night at anchor. At the first break of day, we weighed the anchors, set sail, and reached happily the much longed-for goal of our journey from the Cape to Bengala. This was on the second day of the octave of the Purification of that great Lady who had protected us all through our long and disastrous journey²

[201] CHAPTER XI. *My arrival in Bengala. My surprise at the ignorance and blindness of the idolatrous natives and of some European Missionaries. Rare qualities of some fruits of those places, which I describe.*

On our arrival at Bengala,³ notice having been sent to Golicatan by the English Factor residing at Ugli, some English Officials living at Golicatan came in an Indian boat, carrying twelve oars and sails, to take the Captain and the supercargoes, and convey them to Golicatan, where stands the English Factory.⁴ We learnt from these gentlemen that the said three ships had to set sail after three days for the Philippine Islands, and that no ship there was

¹ *The Braces*, as they were called from the fact that the depth of the channel had continually, to be ascertained. These long sands ran seaward in the prolongation of the tidal Channel, towards the western side of the embouchure. Cf. YULE, *The Diary of W. Hedges*. III. CCV.

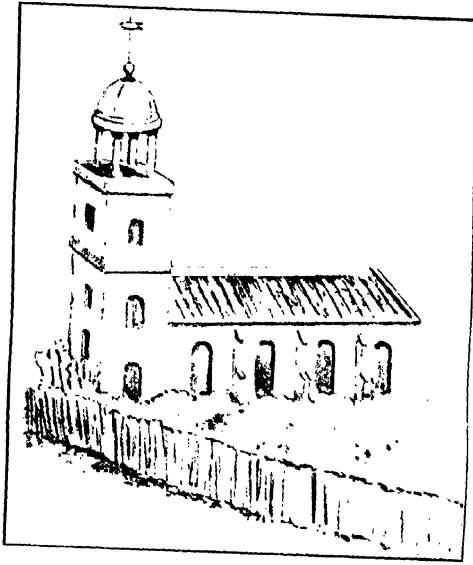
² February 3rd, or the morrow of the Purification.

³ The Italian uses "*in Bengala*" in the title; "*a Bengala*" in the text here.

⁴ Golicatan is Calcutta. The origin of the word has not been satisfactorily accounted for yet "*Collicata*" is another form which I find in a Portuguese letter of 1718. The English from the first, wrote Calcutta; but all manner of spellings are found, even Golgotha.—Notice must have been sent to the English factor of Hugli from Balasore or, rather, from the mouth of the Hugli, by some of the smaller craft plying on the river. What is astonishing is the rapidity with which the news was communicated to Hugli and then to Calcutta. By midnight of February 3—4, the English officials arrived from Calcutta; yet, Ripa's ship had arrived at the Braces only on January 28, in the evening. It is also strange that the news of their arrival should have been sent to Hugli, considering that the English factory was reported as ruinous in December 1637, and the place was shortly after abandoned for "*Chuttanutte*." The Calcutta factory must have been more important in 1709 than the Hugli one. "At a league from the Lodge [Chundernagor] there is a big town called Chinchurat where the Dutch and the English of the new Company have each a Comptoir, that of the Dutch is much finer than the English one." *Voyage du Sieur Laillier* (in 1702), p. 65.

bound that year either for China or even for any harbour near it. Hence, as I was in good health, I decided to start for those Islands, where I would take ship for China. In the instructions given us by the Sacred Congregation we read that, if all could not embark, one or more, who could, should do so, the others awaiting some suitable opportunity for doing the same. His Holiness had ordered us, too, orally to settle by a plurality of votes any doubts that might arise. So, I assembled my companions and laid the matter before them. Though my resolution did not please them, since they would lose my services in their present ailing condition, yet the above instruction ordered but too clearly that he should go who could; [202] and, as it was altogether necessary that one at least should go, if the letters to Cardinal de Tournon were to be delivered with care, they made a virtue of necessity, and decided unanimously that I should go and make arrangements for the embarking of two others of them, *vis.*, Father Cerù and Fabri. These two hoped that fresh food would restore them to health. As for Amodei and Perrone, it seemed altogether impossible for them to recover, except after some months, such was the weakness and prostration to which the scurvy had reduced them. Signor Giuseppe Migliorucci, the Florentine merchant in London, who, on instructions received from the Sacred Congregation, had made the arrangements for our voyage, had told us there he had agreed with the Captain that, if his vessel did not go straight to China, he should at his own expense put us on board another ship. On this understanding, we spoke to the Captain through an interpreter to know his intention; but, he asked us if we had any paper to prove the point. We said no, whereupon he replied that Signor Migliorucci was certainly mistaken. He had never promised him to send us to China at his own expense, in case his ship did not go there. Moreover, I may say that, had he agreed to it, he would not have been bound to do so, after having fed us four months on the river at his expense, which he was not obliged to do. Considering then that the Captain was right in rejecting our application, and that one of us had not more than twenty pieces of eight,¹ another thirty, another a little more than forty,—a total insufficient to pay our passage even [203] up to the Philippines—one may understand how, with no better outlook, we were to be pitied, and to what straits we should have been brought, if our Blessed Lord had not with singular providence provided for us, amply and *usque ad delicias*, from Bengala to Manilla, and again from Manilla to China, as the reader will see, and he may bless the Lord for it and learn therefrom always to put his trust in God's Providence, which never fails those who undertake something for God's service.

¹ The piece or *real* of eight was considered equal to Rs. 2 in 1640. Calculations referring to 1679 make out the *real* of eight or current Spanish dollar to weigh $2\frac{3}{4}$ of a new rupee, and to be worth only $2\frac{1}{15}$. Cf. R. C. TEMPLE. *Streynsham Master*, II, 303 note 1.



ST. ANNE'S CHURCH
(From Brit. Mus. King's Maps $\frac{\text{CXV}}{40\text{G.}}$)



JOHN STACKHOUSE,
GOVERNOR OF
FORT WILLIAM IN BENGAL.
1732-1733.
DIED 1741.

I then pressed the Captain kindly to give me some place in the boat, that I might go to Golicatan and settle everything for my journey and that of my two other companions on board the three ships going to the Philippine Islands. He excused himself, saying there was not enough room for all—which was true—in the only cabin, or cot of the boat, and he urged me to embark that night, not to lose so good and quick an opportunity of going to the Philippines at once. I begged of him to admit me at least outside the cabin, in the open air, among the common herd (*ciurma*). To this he objected that it was against his dignity and mine; but, as I insisted repeatedly for it as for a favour, alleging our said necessity, he said finally that he did not admit me; still, if I went, he would certainly not drive me away. It was enough for my purpose. About midnight, the tide and the wind being favourable, the boat left, and I who was eagerly on the look-out, for fear of missing my chance, [204] got down with the rest and sat down outside.¹ After a short time, the Captain and his suite started sleeping, and I too, overcome with fatigue, I fell asleep where I was, in the open air. I had wrapped myself up in my mantle, one from Sassano in Calabria, under which I had stitched my clerical mantle with the intention of unstitching it later, as I did, and making use of it. Luckily for me. That night, it rained without my remarking it, and, when I woke in the morning, I found myself quite wet. Evidently, it might have been enough to cause a serious illness: but, thanks to God, I did not get so much as a cold. Something still more astonishing happened to me later in Tartary. Having had to sleep one night in the open country, the next morning I found ice all around me; but I felt as fresh and healthy as if I had slept comfortably in a warm and downy bed. So true is it that, in cases over which one has no control, the Lord watches over the Missionary toiling for His sake.

On the morning of the fourth, as we were going along the river-bank, where the contrary current had no strength, we passed near a place, where there was Bazar, or market.² Here they were selling rice, fruits, dried fish, native

¹ They started at midnight between February 3rd and February 4th. The place where the 3 English ships remained moored was probably Kulpi. On February 1, they had got beyond the two sandbanks at the mouth of the river; they advanced six hours with the tide (on February, 2), lay at anchor during the night, and continued on the 3rd to "Bengalla."—"We ascended the river about sixty leagues. For the first twenty we passed through forest; then was revealed a fairly well populated country. The Europeans of different nationalities have fitted up various spots proper to receive the ships. The meeting of the rivers brings together, in different places, a fair number of boats which serve for commerce. *Coulpy* is a fairly good anchoring place. The French and English ships usually stay here. The Dutch go up as high as *Folta* [Fulta], five leagues above. The one and the other, as well as the Danes and the Portuguese, when the season and the current permit, take their ships right up along-side their factories." Letter of Fr. Barbier, January 15, 1724, relating his journey to Bengal in 1712. Cf. *Bengal: Past and Present*, 1910, or *Lettr. Edif.*, 1781, XIII. 267.

² The places mentioned by Ripa as along the river on the return journey from Calcutta are Poncicali, Raspar or Giorg-Crux, and Falta [Fulta]. There was "bazar" at each place where they passed. Ripa adds, "Markets are held very often in those parts, even daily, but now in one place, then in another." Thus, Ripa's *bazar* may have been a fair.

sweetmeats, seeds, grass (*herbe*), cloth, etc. The concourse of the country-folk was extraordinary, and it was curious indeed to see running here and there among them sundry troupes of singers and musicians playing instruments I had never seen before. Their music was so hideous that our captain was forced to call to order and silence a troupe of them, [205] who, thinking they would amuse us and show us honour, had entered knee-deep into the river and come close to our boat.

Afterwards, it happened that, as I was all alone in a corner of the boat, and reciting the Divine office—all five of us, we had covered our breviary with a white cover to make it look like an ordinary book and hide from the Heretics what we were doing, since we were disguised as seculars, as I said above—it happened, I say, that someone asked me from behind in Portuguese, “Sir, are you a Priest?”¹ I looked round, and saw the speaker was an Indian boy between fourteen and fifteen years old. He continued to say I was a Priest, and, as I could not deny the truth, neither ought I to reveal it, being still among those Heretics, though they had conjectured it all along from London, I answered him with a scolding. The clever young fellow, understanding my reason for dissimulating, then told me not to be afraid of him. He said he was a Catholic Roman (*Catholico Romano*), the son of the Captain (*Padrone*) of the boat, his father being however a Pagan. He made the sign of the cross to prove that he had spoken true: his name, he said, was Andrea, and he offered himself for any service, and gave other proofs of his sincerity, so that I could not doubt he was really a Catholic, as he maintained. I then thought it was not perchance that this boy should have recognised me as a Priest, but that a special providence of God had put him in my way to make him guide me in those distant and unknown countries. My confidence grew into certainty later, when our boat arrived at the landing-place, from where we had [206] to go on to Golicatan.² The Captain and the other Englishmen went off and left me alone in the boat, without even wishing me good-bye. Not knowing whither or to whom to turn for a shelter against the approaching night, I learned from the said boy that there was in Golicatan a hospice of the Augustinian Fathers. I had a letter of recommendation to them from their General. So I asked the boy to give me a guide who would show me the way to the hospice of the Fathers.

Andrea very kindly gave me one of those native boatmen to conduct me to the hospice: but, as they beat him with sticks to make him consent, this

¹ In Italian, “V[estra] S[ignoria].” The Portuguese words would have been *Vossa Senhoria* or *Vossa Mercê*, the latter being the common polite form of address.

² The landing-place must have been far down the river, since it took Abbate Ripa about 8 hours' walking to get to old Fort William. At this landing-place so many ships, big and small, lay congregated that Ripa, when meeting with difficulties on his march to Calcutta, thought that, had he retraced his steps, he could not have found back Andrea's boat.

man, after having gone some distance, began shouting, "Ciabi! Ciabi!" that is, "Church! Church!"¹ and after this ridiculous performance, he turned to me, saying, "Don't you see there is nobody?" The distance was not short, as I imagined; it was very long rather; that was the reason why this man was unwilling to take me further at this hour, when the sky was getting dark.² Guessing his thought, and not wishing to expose myself by night to some danger under such a guide, I went back to Andrea, who substituted another boatman, a Moor by religion. This one did even worse. After going about 3 quarters of an hour, when we came to the top of a high hill (*alto colle*), he began shouting east and west, "Oh Papà, Papà!"³ Perhaps he wanted to say, "Oh Padre, Padre," meaning the Augustinian Father. Then, turning to me, he said in his language, which I did not understand, some words which from his gestures [207] I concluded to mean that the Padre I wanted was not there. Hereupon, he turned his back upon me and was going off in another direction. To tell the truth, I was in a bad fix on that occasion. I thought that if I turned back, now that it was night, I might very easily lose my way, the road being unbeaten, winding and intricate. Even if I found it, it would be very difficult among so many ships, big and small, and with my ignorance of the language, to find back Andrea's boat. On the other hand, if I continued to go forward I would not know at all where to go. In this desperate situation, I plucked up courage, raised my tone, uttered threats, and it pleased God in His divine mercy that the Moor should get so frightened as to signify with most humble gestures, and words to me unintelligible, that he would continue to accompany me as far as the Church. I ordered him then by signs to go ahead, for I wanted to remain behind lest he should run away. Promptly he obeyed, and it was amusing to see him continually look back towards me, and, fearing that I might give him some sword-cut, he begged of me through his mimicry to pardon him. As for me, though I had made an effort to look bold and brave, I was so much afraid he might knock me down with a stone that my legs shook so badly that I could hardly hold on my feet, and, if he had shown any inclination to offer resistance, I had made up my mind to run away quickly.

¹ The only meaning for *Ciabi* which we can think of is *key-chábi*. The word is chiefly used in Bengal (FORBES' *Hindust. Dict.*) and is probably derived from the Portuguese *chave*-key. But why should the fellow have shouted "*Chinabi*," and that in the open country? A ridiculous performance, indeed. I fancy the word for *Church* would have been *girja*, a corruption of the Portuguese *igreja*.

² The sun sets at Calcutta at 5-39 on February 4.

³ The Portuguese word *Padre* was adopted very early by the natives as a term of address for a European missionary. I have not met *Papa* used in this sense in India. Badáoni (Blochmann's *Asi.*, I. 182) uses the word as applied to the Pope, in which sense, it meant originally *Father*. Perhaps the explanation is that *pápá* and *bábá* are both used in Hindustání for "father, sir," though the latter means also *child* in Bengal (Forbes' *Hindust. Dict.*)

[208] After having walked some time, and always by moonlight, on that hill,¹ we entered a long country-road, with a green hedge on both sides: in those parts under the Torrid Zone, the whole ground and the trees are green the whole year: it is like a perpetual Spring, so much so that, nervous, tired, and hungry as I was, I could not but enjoy that delightful verdure. Next, we took other paths and about two o'clock at night, I emerged with my guide into inhabited parts.² Quite happy at the thought of having at last reached the Church or hospice of the Augustinians, I found myself in the midst of some soldiers on guard at the gate of a big building, which I heard later was the English Factory.³ It was built in the shape of a fortress and defended by big cannon. I got very much frightened, thinking my guide had betrayed me, and my fear grew all the greater when, after he (the guide) had spoken some time in his own language with the soldiers, one of them turned to me and said in Portuguese, "Senhor Padre, what do you want?"⁴ Hearing myself addressed as Padre, I was still further confirmed in my fear of some treachery; but, taking courage, I said I was a passenger from the English ships, and that, having a letter to give to the Augustinian Fathers, I wanted to find out their Church and get from them a lodging for the night. The soldier then told me that it was far and the hour was late; still, if I wished by all means to go further, he took it upon himself to [209] make that boatman show me the way, and he confessed to me that he was no longer a Heretic, but a Catholic Roman. In fact, when I told him that I wanted at any cost to go on, he charged the boatman to guide me, and gave me his word for it that I could proceed without any fear.

Across very pleasant fields again, I directed my steps with the said guide towards the hospice of the Augustinian Fathers, and, after a very long but

¹ Capt. E. M. Thompson, I.A., the officer in charge of the Map Record and Issue Office, Survey of India, writes in answer to my enquiries (Aug. 13, 1913): "Maps in this Office do not show any ground of high eminence between this city and Diamond Harbour. If a hill or hillock did exist, it would be shown and it seems to me the more probable therefore that the "hill" referred to was merely high land which may have impressed your traveller with the idea that it was a hill.

"I have examined all the Heights of Bench marks along the river Hooghly between Kidderpore and Mud Point, but no indications of high land are shown. Fort Falta is measured along the bank as being 31.1 miles from Kidderpore and it would seem that in the vicinity of this Fort your traveller must have landed." I should think Ripa had disembarked somewhere about Budge-Budge.

² Ripa seems to have had no difficulty in passing Tolly's Nullah. Probably, there was some sort of a bridge.

³ "The next morning," writes Luillier, who passed near Calcutta in 1702, "we passed by the English Factory belonging to the old Company, which they call Golgonthe, and is a handsome Building, to which they were adding stately warehouses." Cf. *Voyage du Sieur Luillier aux Grandes Indes*, Paris 1705, p. 55.

⁴ The actual site of the fort was the ground now occupied by the General Post Office, the new Government Offices, the Custom House, and the East Indian Railway House. The warehouses built along the south side of the fort skirted Koila Ghat Street. The north side was in Fairlie Place. The east front looked out on Clive Street and Dalhousie Square, which in those days was known as the Lál Bâgh, or the Park." Cf. C. R. WILSON, *Old Fort William in Bengal*, London, 1906, I. XX--XXI.

⁵ The soldier who addressed Ripa was probably a Topás, or half-caste Portuguese in the English service.

refreshing trudge in the cool night air, I arrived at last, as I judged from some distance by the structure of the gate. I dismissed the Moor, and was now left alone before the gate of the hospice.¹

I can find no words to express my consolation, when, after such a long journey, I found himself before that Church. Let the reader then imagine it for himself, while I describe only the new danger and trouble I had now to face. I knocked at the door; but, to start knocking was like giving the signal to the dogs in the neighbourhood for barking and howling: one after another, they came running up and made a big circle around me. At this unexpected juncture, I gave myself up for lost at first; then, put upon my mettle, I drew myself up with my back against the wall, and with my sword in its scabbard in one hand, I defended myself against those beasts, frightening them and beating off their attempts to jump upon me. The barking of the dogs, more than the pushing I did at the door with my other hand, succeeded in awakening some boys in the service of that old, deaf-like-a-post Augustinian Padre. They asked me from inside who was knocking, and what I wanted. [210] When they heard it was a Missionary who was bringing from Rome a letter from the Father General, and that I wanted lodgings for the night, I had plenty of trouble to induce them to take the news to that Father. Finally they went, but brought back the answer that I must come the next morning. I said I was a stranger and did not know of any inn; that I was in imminent danger of being devoured by those dogs; and that, if they were afraid of me, they might lock me up in the Church, or Sacristy, or anywhere they preferred, provided they saved me from my present danger, those dogs being on the point of jumping upon me. They should consider that I was a poor Priest, who begged of them to save his life, etc. When I had said whatever I knew and could say, they were convinced by my reasons and moved to pity by my begging, and they opened the door, but on the understanding that I should not say a word about it the next morning to the aforesaid Augustinian Father, or else he might give them such a drubbing.

At last the door opened, and the boys led me to the Church. Here, safe at last, after so many dangers, I prostrated myself humbly before the high Altar,² and with all the fervour of my heart rendered due thanks to God. The boys, edified and touched at the same time by my conduct, begged pardon of me, and compassionated me with the most affectionate and tender expressions of pity. They would have wished to give me a better place for the night, but they pleaded their fear of the Father's stick. I, who

¹ The soldier said the distance from the Fort to the Augustinian Church was long, and Ripa repeats that it was a long trudge. I cannot, however, understand that the Church should have been elsewhere than in Portuguese Church Street, Murghsháta. I hope to discuss and prove this point some other day.

² Since there was a High Altar, the Church would seem to have had two side-aisles.

had amply obtained what I wanted, thanked them for their affection, [211] and declared myself quite pleased and satisfied with their sympathy alone. The boys were very much surprised when, on their asking me how I would pass the night in that Church, I told them I would sleep quite comfortably on a catafalque which I saw in a corner. They asked me, too, how I would manage to protect myself without a curtain against the venomous stings of the mosquitoes, which swarm in those parts. I answered that I would cover myself cosily with my Sassano or shagreen (*Zigrino*) mantle, the very thing for a vapour-bath in those hot countries. And so I did at once, the moment they had locked me up in the Church. Hungry as I was, I felt so tired that I fell asleep at once, protected by my mantle. In the morning, I got up quite fit and without a single mosquito bite. You must know that those mosquitoes are so many and so much bigger and mischievous than ours that two young English gentlemen of our ship, having come on land some days afterwards, and having slept only one night at Golicatan without protecting themselves against these insects, had their face so swollen and changed, when they came to see me, that I did not recognise them until I heard them speak and learnt their name and surname.

I presented the General's letter to that Augustinian Father, a deaf old man, and ignorant in the superlative degree; but, he was very edifying, and this is a quality wanted more than any other in the Missionaries of those countries, where licentiousness is so rife. The good Father took the letter and, not understanding Latin very well, [212] he pretended to read it. He would have liked to make out at least the Father General's signature to know his name and surname. As if he had understood the rest of it, he turned to me, and underlining the signature with one of his fingers, "Here's the devil," he said. "Read, please." As if he meant to say that he had deciphered all the contents of the letter with the exception of the signature only. I read it then, and told him the name and surname of the Father General; but, more foolishly than before, he asked me whether that was the Father General or the Father Generalissimo. Having regard for his simplicity, and to gain my point, I fell in with his absurdity and said, "That is the Father Generalissimo." My answer pleased his Paternity, and he invited me to dinner that morning. It was the first time after a year that I had the happiness of saying Mass in that church. I said it in thanksgiving to God for having brought me safe into that harbour after so many dangers. The Epistle gave me much consolation, for Saint Paul seemed to tell me personally, "*For see your vocation, brethren, that there are not many wise according to the flesh, not many mighty, not many noble: but the foolish things of the world hath God chosen, that He may confound the wise; and the weak things of the world hath God chosen, that He may confound the strong. And the base things of the world, and*

*the things that are contemptible hath God chosen, and things that are not, that He might bring to nought things that are : that no flesh should glory in His sight.'*¹ With this Epistle the Lord placed before my eyes the sublimity of my vocation and [213] the many strong reasons I had for debasing myself in His sight and that of men.

After my Mass and my thanksgiving, I went at once to negotiate my passage to Manilla. As luck would have it, I met on the road the Captain of the Gudop,² which was to sail for the Philippines. He was a Frenchman named Monsieur la Cloche.³ He was being carried along, after the manner of the country, on the shoulders of two Indians, and lay stretched in a hammock tied at both ends of a Bamboo, a reed of those parts. Some of these are so big as to serve as beams, and so strong that they use them as pegs (*chiodi*). This gentleman, on hearing my request about embarking with two companions, turned back at once, and conducted me to the house of Signor Bernabì,⁴ an Irishman, for whom the ship was taking in cargo. I had but to expose my request to him to get a free passage and board for three. Straightway, I wrote from their very house to give the news to the other companions whom I had left in the ship. After breakfasting with these gentlemen,⁵ I returned to the Augustinian Father to answer his invitation for dinner. Behold then the providence of Almighty God! When we were hard up for money, we were amply provided with whatever was necessary to get to Manilla: and there our Blessed Lord provided for us even more lavishly. In the afternoon,⁶ I returned to Signor Bernabì's, and he told me that the Augustinian Father [214] had come to him to know if it was true that I had been sent by Saint Peter, and that, knowing his silliness, he had told him yes; whereupon, the Father had asked again whether I was sent by Saint Peter himself, to which he had said, "Yes, by Saint Peter himself."⁷ That's how the good simple Father conceived such a very high opinion of me that he kept me in his hospice, and treated me very well for eating and sleeping, and he would not accept even a *quattrino*⁸ in return.

[To be continued.]

H. HOSTEN, S. J.

¹ This is part of the epistle of the Mass in honour of St. Agatha, Febr. 5. (I Cor. I, 26-30).

² Good Hope? - Ripa had picked up very little English on the way.

³ Perhaps: la Cloche, a misreading by the editor of Ripa's *Storia*.

⁴ Probably: Barnaby. I have not come across his name, though I have searched a number of books on old Calcutta.

⁵ The Augustinian did not invite Ripa, a very hungry man, for *chhoti hāsirt* or breakfast! He invited him only for dinner.

⁶ Dinner appears then to have been taken at noon.

⁷ It would be too absurd to suppose that the Augustinian did not mean the Pope. Ripa seems to represent him as a bit too foolish. We may credit the old man with some facetiousness.

⁸ $\frac{1}{4}$ of a *soldo* or sou. "A *piece*" would be the local expression.

Some Records Relating to the Origin of the late Presidency Jail.

TOWARDS the close of the year 1913 the subject of the origin of "the main building" of the now slowly disappearing Presidency Jail was keenly debated in the columns of the *Statesman*, and incidentally the question of the place of Nuncomar's [Nanda Kumar's] final place of imprisonment was also discussed. The pages of *Bengal Past & Present* are open to any readers who may care to restart the controversy. In the meanwhile the following documents are published in order to facilitate such a discussion.

I.

Extract from Long's Selections.

No. 961. *Proceedings*, Dec. 21, 1767.—Agreeably to your orders, I have visited the prisons under my charge, the one in Loll Bazar¹ is very clear and wholesome, only wants a separate apartment for women to make it convenient.

That in Burra Bazar is a confined bad place, and must occasion as much sickness, but as there is room in the other for all the prisoners, I have ordered them there; this prison will hold from 4 to 500, and the number confined now is 220. * * * * *

Court of Jemedary [Zamindari].
5th December 1867.

NICHOLAS GRUEBAR.²

II.

Extract from The Trial of Maha Rajah Nundocomar, Bahader, for Forgery. Published by Authority of the Supreme Court of Judicature in Bengal. London, 1776, p. 91.

A.—I do not remember that I visited him (Nuncomar) in gaol.

(Question repeated).

A.—The gaol is in the same street with the cutcherry³. I went to the gaol one day.

¹ For the early history of the Lal Bazar Prison see Wilson: *Old Fort William in Bengal*.

² The name is Grueber.

³ See Sterndale: *Historical Account of the Calcutta Collectorate*, p. 31. The Cutcherry stood in Lal Bazar between the old Play House and the Jails, and to north of what is now called the Old or Mission Church.

III.

Extract from the Examination of the Deputy Sheriff by the Supreme Council. 8th May, 1775. Forrest: Selections. Vol. II, p. 369.

Q.—Does the warrant order you to send him to the common Jail?

A.—I apprehend that by the warrant expressing him [Nuncomar] to be charged with felony he could be confined in no other place than the common Jail, and the warrant being itself directed to the Keeper of His Majesty's Prison as well as to the Sheriff.

Q.—As you conceive from the warrant that you were to commit him to the common Jail, why did you ask the Justices their opinion where he should be confined?

A.—I did not ask the Justices their opinion, but when Mr. Jarrett stated no objection, I should, of course, have ordered him to be conveyed to the common Jail there being no other public place of confinement belonging to the Sheriff.

IV.

*Extract of a letter from Richard Barwell to Miss Mary Barwell,
17th May, 1775.*

In this state Matters rested from the 22nd April to the 4th or 5th Instant and in the interval a charge of forgery against Nun Comar which had been long in suspense, was brought forward and the witnesses so pointed that he was committed for Felony on the 5th or 6th Instant. It will scarcely be believed that under such circumstances that General Clavering & his party would have interfered to check the course of Justice by an attempt to remove the Criminal from the Country Gaol, to which effect they addressed the Judges, alledging they were influenced by a Principle of Humanity to interpose in behalf of Nun Comar as they understood from a sincere and true Piety and regard to the Tenets of his Religion being a Hindoo, he had refused all sustenance and could not nor would not take any aliment while continued under confinement in the common Prison, and in the same Letter affirmed a Right to interpose, when the operation of the Judicature proved oppressive to the Natives, saying that all the subjects of the Dewanny Government were peculiarly placed under their Protection as the Council of State and it was their Duty to extend such Protection to them when they applied for Relief, under any species of oppression, and that the Judicial Powers of the Supreme Court of Justice in their operation upon Hindoo Natives attached to the severe Tenets of their Religion might, under many Circumstances and in particular Cases, be grievously oppressive; that they conceived it to be so in the present instance and proposed that Nun Comar should return to his own House over which a Guard should be placed, or have apartments assigned him in the Fort under a Military

Guard. The Chief Justice &c. replied that it was a mere pretext used by Nun Comar; that the restraint under which they had put him would not as he pretended deprive him of his Cast; that they had taken the opinions of the Religious and found the Laws of the Shasta declare any contamination from his confinement was to be removed by some trifling oblations without any Prejudice to his Sect or Religious Principles—that as to the alternatives proposed it was not in the Power of the Judges to resign the Civil authority into the hands of the Military by releasing Nun Comar from Prison and intrusting his Person to a Guard of Soldiers—concluding with this Remark that if Nun Comar[’s] Religion was a sufficient plea in Bar to his Commitment, every Hindoo of his, or of a superior Sect, were perpetually exempted and could not be made amenable to their Judicature. Nothing could be so absurd as this application to the Judges upon such ground—for if General Clavering &c. had only enquired whether Hindoos were usually committed to and confined in Prison on Judicial Processes, they would have found it to have prevailed ever since Calcutta had existed, and that Bramins of a far higher Sect than Nun Comar had suffered close Imprisonment for years. The Judges, however, to avoid the appearance of severity, have allotted Nun Comar the best apartments in Gaol, permit him daily to repair under charge of the Gaoler to his Tent erected just without side the walls to perform the offices of Religion and to eat his Food. This Interposition of the Council General with the Judges, as might naturally be supposed, caused much speculation and gave rise to various conjectures and surmises which received additional force from the General, Col. Monson and Mr. Francis sending two or three times every day to Prison to inquire after Nun Comar’s Health and the gentlemen in their Families frequently visiting him in his confinements—not only this, but Lady Anne Monson, Mrs. Clavering and the Miss Claverings sending their Compliments and Inquiries after his Health—a practice so unusual and so extraordinary in this Country, that I am not surprized it should create a Rumour of its being the intention of the Council General to remove Nun Comar from the Gaol by Force if the Judges could not be otherwise prevailed on to remit his Confinement—this Report is just touched on in one of the Chief Justice’s Letters and treated as an idle Rumour by him, but it is taken up in a high Tone (by the General and his party), the Majority of the Council General who reflect on the Chief Justice charging him directly with having allowed such an aspersion to have had weight with him and declaring on Oath, God knows how truly, that they never heard an Item of such a Rumour, until they read of it in his Letter. What they may have heard I cannot say but I declare upon my Honour that for these ten days past in most Companies I have frequently heard it was a Question whether General Clavering &c., would not use force, if other means failed, to remove Nun Commar from the Country Prison. Nor is this to be wondered at.

taking all circumstances into your View, for on the Monday following his commitment, which was on Saturday night preceding the Council General sent for the Sheriff and the Deputy Sheriff and the Keeper of the Prison, and examined them severally touching the confinement of Nun Commar, and then addressed the judges to remit it : the further countenance of sending every two or three hours to enquire after and compliment Nun Commar, and the General and Col. Monson enjoining their Ladies to do the same, and the Gentlemen of their Families visiting him, and they publicly declaring their Patronage of Nun Commar—I say, taking all these circumstances together, is it to be wondered at, that strange Rumours prevail, and that all Degrees of Men are in suspense and know not what lengths the Majority of the Council General will proceed? The Native Inhabitants are strangely startled, so much so, that it will not surprize me, if these arts deter the Evidence and save Nun Commar from the ruin which hangs over him.

V.

Extract of Letter of Council at Fort William to the Court,
25th May, 1778.

The repeated representations made to us by the late and present Sheriff of the ruinous state of the Town Gaol, and the necessity of either giving it substantial repairs or erecting a new one, confirmed by the opinion of our Chief Engineer, have obliged us to take the necessary measures for providing another place of confinement for the security of the prisoners. The latter expedient appearing from the different estimates, which were laid before us, to be the most eligible, we determined that a new prison should be built by contract, and accordingly advertised for proposals to undertake it agreeably to a plan and conditions, which were fixed on and published for that purpose.

VI.

Extract of Letter of Council at Fort William to the Court,
30th November 1778.

As you have been informed of the terms on which the contractor for building a new Jail has undertaken the construction of that work, it is incumbent on us to mention that, upon a representation made by the Chief Engineer that the ground appropriated for the building is much too confined for the purpose, as well as inconvenient to the inhabitants of Calcutta, and recommending its removal to a place at a greater distance from the town, we have been under the necessity of allowing the Contractor an augmentation of ten per cent. to the stipulated sum for which he has engaged to erect the building. * * * * *

VII.

Extract from Hicky's Gazette, April 28th 1781.

Altho' the securing of the French inhabitants of Chandernagore, in consequence of the flagrant breach of public faith committed by those of Pondicherry, is in the general opinion a prudent and a necessary measure, and altho' in which they are occupied (highly exceptionable as is the plan of it) certainly affords them more spacious and airy accommodations than any other in which they could have been kept, either in the Fort or near Calcutta, yet as it was built for a common Jail (it not hitherto used as such).¹ * * * * *

VIII.

*Letter of Herbert Harris to the Governor-General in Council,
5th July 1781.*

Hon'ble Sir & Sirs,—I request you will be pleased to give Orders that the new Gaol be delivered over to me that the Prisoners may be removed as soon as possible from the old one, which is in too ruinous a state to be longer occupied in safety.

I beg leave to represent to the Hon'ble Board that the Jemautdars Guard of thirty-five Sepoys the number at present allotted are insufficient for the due guarding of the new Gaol, which being of much greater Extent than the old one, will require full as many more. A guard room without the Door will be also necessary for the Accommodation of the Sepoys.

I have, etc.,

HERBERT HARRIS,
Sheriff.

IX.

*Report of Thomas Mott, Superintendent of Police, to J. Hare, Sheriff
of Calcutta.*

The Sergeant who commands the guard at the Hurranbarry having represented to me the ruinous state of that prison and that he was apprehensive the prisoners confined there might escape, I went to examine it, and found the wall to the eastward of the tank quite broken down, and the rest of the wall in the north-west and south in such a condition as to require a total repair, if not to be rebuilt. I reported the same to the Honorable Governor-General, who instructed me to lay the matter before you ;

¹ For the use of "the new building lately erected for a Jail" see "Chandernagore Papers," *Bengal Past & Present*. Vol. VI pp. 25 *et seq.*

X.

*Letter of J. Hare, Sheriff of Calcutta to the Governor-General in
Council, dated 18th April, 1782.*

I consider it my duty to represent to your Honorable Board that a building having been lately erected and committed to my charge by the Honorable Company for the reception and confinement of criminals and debtors, I have been enjoined by an order of the Supreme Court of Judicature to remove their such prisoners as at present occupy the old gaol. But as the state of the new is inadequate to the safety of the public peace and that personal security to me which the responsibility of my office renders an object of moment, I have from necessity forborn obedience to the precept till I have represented my situation to your Honorable Board, and prayed that it might be taken into consideration. Previous to my taking this liberty, I have requested an able surveyor and architect to examine the state of the new Gaol, and to furnish me with proper information how to render it complete for the purpose of its design. He has, in consequence, represented the indispensable necessity of erecting a wall so secure in the foundation and height as to preclude the possibility of a prisoner's escape by undermining the foundation or climbing over the summit of it; and, as the section he has made appears satisfactory to me, I take the liberty of enclosing it for the information of your Honorable Board, praying, if it should appear that the Board will be pleased to issue their orders for its execution before the rains set in, the whole of the old Gaol being now in a state extremely decayed and dangerous, and the apartment appropriated to the Gaoler totally uninhabitable.

I have taken the liberty to enclose for the information of your Honorable Board an official application I have received from the Superintendent of Police representing the state of the Hurrenburry, or House of Correction, which is also, for want of better accommodation, in part occupied by the prisoners under my charge.

XI.

To the Hon'ble

WARREN HASTINGS, Esqr,

Governor-General and Council.

GENTLEMEN,—The Expense of building a plain Brick Wall to surround the new Jail of the dimensions specified in the Plan transmitted to me on the 26th inst. will amount to forty eight thousand two hundred and seventy four

Arcot Rupees nine annas, on a supposition that thirty two Arcot Rupees is allowed for every hundred Cubic Feet which I consider to be nearly the true prime cost.

At the time that I received the Boards order to build the present compound Wall, I took into consideration how far a high Wall would contribute to the more effectual securing of the Prisoners confined in the Jail and was persuaded that a Wall of eleven Feet high would be as great a bar to an escape as one of double that height because no Prisoner could get over either without assistance or connivance from without; a Bamboo or rope Ladder would afford the same certain means to get over a Wall of twenty feet high as one of eleven Feet.

It is from the number and watchfulness of the sentries joined to the strict observance of proper Regulations for the Prison that security can be expected, and I am convinced that the new high wall which is proposed to be built at about twelve Feet distant from the present one, will instead of adding to the security rather tend to produce less Watchfulness in the Seapoys and afford new means for the Planing of Escapes among the Prisoners.

If the number and attention of the Seapoys Posted on the outside of the present Wall are not deemed a sufficient Security a strong Pallisade of nine Feet high may be fixed within the Compound at the distance of about ten or twelve feet from the surrounding Wall and an additional Line of Sentries placed within this Space which would in my opinion effectually prevent Escapes, as every transaction within the Yard would be open to their View, and being compleatly separated from those Posted on the outside no Collusion can be expected: such is the Mode which I presume to offer to your consideration is best adapted for effectually Securing the Prisoners.

FORT WILLIAM }
29th April 1782. }

I am with great respect
Gentlemen etc.
HENRY WATSON.

P.S.—The Expense of such a Pallisade would amount to about eight thousand Arcot Rupees.

XII.

The Nature of the Work and particular Quality of the Materials to be used in Building the Wall round the New Gaol, according to the Plan and Section approved by the Honorable the Governor General and Council.

The Wall to be built with eleven Inch-Bricks completely burnt.

The Cement for the Wall to be composed of the best Chunam Red Soorkey and Sand in the preparing of which the following Proportions are to be used Viz. One Ferrah or Measure of fine sifted Chunam, One of fine screened

Soorkey and one of clean red-Sand or one Ferrah of sifted Chunam to two of Clean sand as may be proper in the Different Parts of the Foundation and Wall.

Those Different proportions of Mortar are each to be well mixed together and thoroughly beat the day before it is used, when it is again to be well tempered and three Seers of good Jaggry dissolved in water are then to be added to every Ferrah of Chunam—which is throughout understood to contain one Maund. The whole of the wall on both sides to be built and plaistered in imitation of stone work.

The Plaister to be composed of one Ferrah of fine sifted Chunam and one Ferrah of clean red Sand: The whole to be incorporated well together, and beat and tempered for three days before it is used: at the latter tempering three Seers of good Jaggry dissolved in water is to be added to each Ferrah of Chunam. This Plaister is to be laid on in the best Manner, and the whole of the Work to be compleated substantially and under the Direction of such Person as the Hon'ble the Governor General and Council may be pleased to appoint for that Purpose.

Estimate of the Expençe of building a New Wall round the Gaol according to the plan and section approved by the Honorable the Governor General & Council.

150858 solid Feet of Brick-Work Materials. Plaistering &	
Workmanship @ 36 Rupees p % Feet	... 54,308-14
Excavating the Foundation 6 Feet in Breadth 5 Feet in Depth	
and 1972 Feet in Length 6 by 5 is 30 square Feet by	
1972 @ 2 Rupees p %	... 1,183-3-3
	55,492-1-3

J. HARE, *Sheriff*.

XIII.

To the Hon'ble WARREN HASTINGS, *Governor-General* & MEMBERS OF
THE SUPREME COUNCIL AT FORT WILLIAM.

HON'BLE SIR & SIRs,

I am respectfully to acknowledge the Receipt of a Letter from your Secretary, intimating your Hon'ble Board's opinion that a Number of Sentries stationed round the old Wall of the Gaol, will be the best security against the Escape of the Prisoners, and forbidding me to take any further Measures for the Construction of a new Wall.

The Pains I have taken to investigate the Duties of my Office, and to discharge them faithfully, encourage & allow me the Liberty of trespassing on the Board, while I presume to explain the Impossibility of my Submission to this Mode of securing the Prisoners.

In this effort I must according to the context of the 131 of his present Majesty, and his Majesty's Charter of Justice for these Provinces, consider the Office here, analogous to the Office of Sheriff in England, and consequently that I am liable to the Penalties of it. The Prisoners at present under my charge are confined for Debts in the Gross exceeding 15 Lacks of Rupees, for the whole of which my person and fortune are liable in case of their Escape. The same constitution of England which has burthened the Sheriff with this heavy Responsibility, has provided a Remedy there, to compel the Security of the Gaol, by a public imposition on the country. That remedy does not by a positive Institution exist in this country, where the Government is different; But the East India Company being compelled by Act of Parliament, to provide such Expences attending the administration of Justice, as occurred to the Legislature, it is no more than a natural deduction, that they are to provide a secure Gaol among the Rest, as without it neither the Rights of Individuals, nor the Peace of Society at large could be preserved, and every penal Provision would become nugatory; and although no specific Provision appears to have been made for it the Penetration and Justice of the Company have by a long acquiescence almost enlarged this claim to a prescriptive Right. But waiving that Question, I must resort to some Observations, which I am sure will have equal Weight. Your hon'ble Board have been pleased to resolve that a military Guard will be the best Security against the Escape of the Prisoners. Thus the Reputation, the Fortune & the Person of the Sheriff would rest on the precarious Vigilance and Fidelity of a Military Guard, over whom he has no Control nor the Shadow of an immediate Influence. It would indeed require an extensive confidence, to suppose that the Thousandth Part of the amount of the Prisoners' Debts, wch. Fraction is 1500 Rupees, would be insufficient to command the friendly Disposition of an indigent Native Soldier, naturally unaffected to the European Character, unacquainted with European Ties, insensible to the authority and inattentive to the orders of all but his immediate Military Superior and possessed withal of a superstitious Mind, which might deem it a Virtue to relieve the Danger or terminate the Disgrace of a Native of a higher Cast. The consequences entailed upon the Sheriff, would be a consideration of little Moment if it were ever to occur. Besides, Confusion and Disturbances must arise in a Gaol so crowded with different Ranks and governed by different Powers. There would be daily Quarrels between the Guards and the Prisoners, extending perhaps to the commanding Officer and the Sheriff. The Doors of the Gaol would be ever at

the Command of the Officer, and a Dozen Prisoners might escape in the Sepoys' habits at the Relief of the Evening Guard. The Authority of the Sheriff and Gaolers would be ineffective and contemptible, and the whole order of the Civil Power reduced (*illegible*) the subordinate and ridiculous. Two Remedies may occur to your hon'ble Board for a cure of these Evils, either that the Company should invest the Sheriff with a local Command over this extensive Guard, or indemnify him from all Escapes and the consequences of the alteration which the Board have proposed in the Civil Establishment. Unfortunately they are both, even in Conjunction, incompetent, and for these Reasons. By accepting or exercising this Command the Guards would become my Agents or Gaolers, and although the Company's Indemnity might ease my pecuniary Responsibility, nevertheless one Act of Infidelity in my Guards productive of an Escape, would under two existing Statutes, subject me to an Indictment for Felony. Thus Hon'ble Sir and Sirs you will perceive that the Company's Indemnity would operate but partially, and any interference with the Guard dangerously; The one would protect me from the consequences of a civil Prosecution, the other eventually incur the coercion of a criminal one. A sad Reflection it is that I am at this Moment subject to the latter for my Disobedience to the order of the Supreme Court, directing the Sheriff to remove the Prisoners to the New-Gaol! But while the Duty of my Office and Humanity itself impel me to an obedience which would according to the Spirit of the Order, relieve the present miserable Situation of the Prisoners, I must reluctantly repel the Influence, while I implore & await the confirmation of the Hon'ble Board's Permission to secure the Gaol in the ordinary Manner; observing, and that upon the best authority, that the old Wall is altogether useless, it's Height is no more than 11 Feet, and its Foundation extending only 1 Ft. 8 Inches under Ground it is incapable of being elevated, and might be undermined by one Prisoner and the Escape of the whole effected in two Hours.

As to the Dimensions of the wall I have had the honor to submit to the Board, it's Elevation being considerably under the Height of that surrounding the King's Bench-Prison in England, forms a sufficient Proof of my Wish to submit to an economical Disbursement from the Company; and respecting the Propriety of the Estimate, it depending entirely on the Dimensions of the wall and the Nature of the Materials and Workmanship. I was minute in my description of them and believe my Estimate to be nearly a literal copy of a former one tendered by the present able Chief Engineer to the Board of Inspection on a similar Occasion. The charge being 36 Arcot Rupees per 100 Solid Feet, and according to the best of the Skill and Judgment of the Chief Engineer there is no one article of Expense in his Calculation wch. will not absolutely be incurred by any Contractor who employs good Materials. I flatter myself the Board will approve my having consulted so competent an

Authority previous to the formation of my Estimate, and my close adherence to so respectable an example. I determined inviolably on that Measure, notwithstanding I am subject to some Hardships which might have justified a Deviation. On Account of the present Improvements in the Settlement by the Destruction of the Straw Houses and the necessary Demands of Materials to erect brick ones, these Materials bear an advanced Price: The Article of Chunam has risen 10 per cent within this last Month. I am obliged likewise by Reason of the remote situation of the New Gaol, to transport the Materials at a great Distance from the Water Tide and am moreover from the present dangerous state of the Old Gaol, and the early approach of the Rains compelled to execute the Business entirely on two Months. Nevertheless as to the Height of the Wall and the Terms of my Estimate, although I am conscious of having regulated my Proposals according to the real Dictates of my Judgment, I am by no means so tenacious of it, as to object to the opinion of the Company's Architect; on the contrary it is my wish that it should be procured if your hon'ble Board should conceive it necessary, and particularly so that he may be desired to inspect the Materials and Workmanship of the Wall I am constructing. Perhaps it may be proper to intimate, that as soon as it is completed, I purpose to remove to the New Gaol all the Prisoners now confined in the Godowns at Kidderpore, as that Distance from Calcutta is very inconvenient, and the Company subject to an annual charge of 3,000 Arcot Rupees for their Rent, which will then cease.

I am concerned to review the extraordinary Prolixity of this address and to withdraw so much of your Hon'ble Board's attention from & other important subjects, but when you perceive Gentlemen that my all of Fortune, Reputation, Personal Liberty are involved in the question and lie at your Mercy, I must persuade myself that your Judgment will acquit me of a disrespectful Trespass, and your Justice accord me the Protection I may be entitled to.

I have the Honor to be, Hon'ble Sir & Sirs,

With infinite Respect, etc.,

FORT WILLIAM;
May 4th 1782.

}

J. HARE,
Sheriff.

XIV.

TO THE HON'BLE WARREN HASTINGS, *Governor-General*, &c., MEMBERS OF
THE SUPREME COUNCIL AT FORT WILLIAM.

Hon'ble Sir, and Sirs,—In my Address to your Hon'ble Board under Date the 18th April last, reporting the State of the several Prisons under my Charge,

I took the Liberty of inclosing an Official Application, which I had received from the Superintendant of the Police, representing "That the Wall surrounding the House of Correction had on the East Side fallen down, and that the Rest of it on the North, West and South Sides required a total Repair if not to be rebuilt."

Your Hon'ble Board were pleased to authorize me in Consequence to put the Whole into proper Repair, and I surveyed it accordingly with this Intention; what remains of this Wall is cutchah-built of Mud, and it is so old and decayed at present that the Bricks crumble at the Touch, and in some Places it is reduced to the Thickness of a single Brick, with many Breaches which will admit the Hand entirely through them: this being the case, I measured the Extent of the Inclosure in order to build a new Wall, not apprehending that on Account of the irregular outline of the Ground, a new Wall of the Height only of 13 Feet, would require 45,960 solid Feet of Brick-Work, and incur an Expence to the Company of 16,545 Ar. Rs. During this attendance at the Prison with the Superintendant of the Police, we were confounded by the alternate complaints and Lamentations of the Keeper, the Serjeant of the Guard and the Prisoners, all of whose Houses are in the same State of Decay, and daily during the present Rains have been several Inches under Water: so that had I erected a new Wall, a further Expence of 8 or 9 Thousand Rupees would have still remained, and swelled the Disbursement to 25 Thousand merely to put this Prison in tenantable Repair. I flatter myself that your hon'ble Board will not be displeased at my Hesitation under these Circumstances, and will allow me to lay before you a Measure which upon a mature Consideration, they have induced me to frame.

The Inconvenience and Danger of Public Gaols in the Centre of a Metropolis, have been long the Subject of humane speculation and Censure in Europe; the Public Voice in all, and the Legislaure itself in many Instances, have condemned and removed them, and the object has repeatedly inspired very noble efforts of charitable contribution. From the Stagnate Nature and putrid Tendency of this Climate the general Argument has a redoubled Force here, and it has been an Object therefore of the Supreme Board, among the late many salutary Regulations which have contributed to the Healthiness of the Settlement, to rebuild the great Public Gaol at a convenient Distance from it. The present Situation of the House of Correction appropriate to the Reception of the most indigent Vagrants, is in the very heart of the Town, and a severe remaining nuisance in it! I trust therefore as it is under my charge, your Hon'ble Board will countenance my Representation, and encourage my Efforts to remove this Nuisance by your Protection and Support; the more so, as I will proceed to demonstrate how it may be done, with an Expence only equal to the Repairs I have mentioned.

In Order to lay this subject at one View before your Hon'ble Board, I have procured from an able Architect, a Plan for a complete House of Correction, which I inclose for the Inspection of the Board together with an Elevation of the Buildings, and a correct Estimate of the Charge they will incur: the whole amounting to Ar. Rs. 47,085-4. This Prison I humbly propose to erect to the Eastward of the New-Gaol at Bereegy:* and as the scite of the Old Gaol and the present House of Correction will be no longer of any public utility, I wish to have your Hon'ble Board's Orders to dispose of them, being confident that the Produce of that sale if properly attended to, added to the same Supply which is required to repair the House of Correction, would produce the sum I have mentioned, and enable me to erect a new one, in the completest Manner, and according to the Plan wch. is inclosed. Should your Hon'ble Board consider me too sanguine in this assertion and that I may delude myself and ultimately the Company into an Error by these Estimates, I can only offer to take the Risque upon myself, to complete the whole in the best Manner possible and subject withal to the Inspection of the Company's Architect; by which Measure the Company will be secured against any further Expencc for a long Term of Years, the Board will co-operate with it's general Efforts of salutary Improvement the Prisoners will be removed into a Situation more congenial to Humanity and the Inhabitants of the Settlement will rejoice in the Removal of a dreadful Nuisance. As the superintendant of the Police participates my charge in the House of Correction, and bears Testimony to my Report of it, I consider it expedient to consult him upon the Propriety of my present Representation; He has authorized me to express respectfully his strongest wishes that it may be approved by the Board, particularly as he has been long desirous that the Prisoners should be employed in some Labor within the Gaol, which the area of the inclosed Plan is calculated commodiously to admit, although it has hitherto from the circumscribed crowded & irregular space of the Hurrumbarry been found impracticable.

It only remains for me faithfully to assure your Hon'ble Board that the Terms of the inclosed Estimate and the description of the Workmanship which is prefixed to it, are exactly the same as nearly as Circumstances will admit, with those of the Company's Chief Engineer, which having withstood the Scrutiny, have received the Sanction of the Board of Inspection.

I have only to add Sirs, that rather than a Measure of so temporary and important a Nature should be delayed a Day on Account of the present Exigencies of the Treasury, I will defray the whole Charges myself and rest satisfied with the Company's Reimbursement at a more convenient Season—and I shall confide in your Hon'ble Board's issuing Orders accordingly.

Upon the Subject at large I avail with Deference the Board's Commands, and have the Honor to be, etc.

FORT WILLIAM: }
August 20th ; 1782.

J. HARE,
Sheriff.

XV.

An Account of the work and particular Quality of the Materials to be used in building a new House of Correction according to the Plan and Section herewith submitted to the Hon'ble the Governor-General and Council.

The whole to be built with eleven-Inch Bricks completely burnt. The Buildings and Wall to be of the several Heights and Lengths specified in the above Plan and Section.

The Cement for the whole to be composed of the best chunam Red-Soorkey and Red-Sand, in the preparing of which the following Proportion are to be used viz. One Ferrah or Measure of fine sifted-chunam One Ferrah or Measure of fine Screened-Soorkey and One Ferrah or Measure of clean Red-Sand. These different Proportions of Mortar are all to be well mixed together and thoroughly beat the Day before it is used, when it is again to be well tempered, and 3 Seers of good dry Jaggry dissolved in Water are then to be added to every Ferrah of Chunam wh. is throughout understood to contain one Maund. The walls to be built and plaistered in Imitation of stone work, the Plaster for both sides to be composed of one Ferrah of Fine sifted chunam or one Ferrah of clean Red-Sand; the whole to be well incorporated together, and thoroughly beat and tempered for 3 days before it is used; at the last tempering 3 Seers of good dry Jaggry dissolved in water is to be added to each Ferrah of Chunam. This Plaster is to be laid on in the best Manner, or fine coal of chunam is to cover the Plaster.

The Locks and Hinges for the Doors are to be the best and strongest which can be procured in Calcutta.

The Beams, Doors and Windows, are to be painted of any Color directed by the Company's Agent. The whole to be completed in the best, most substantial and Workmanlike Manner possible, and under the Direction of the Company's Archetect or such other Person as the Board may be pleased to appoint.

FORT WILLIAM: }
August 20th 1782.

Estimate of the Expence of Building a House of Correction according to the Plan submitted to the Hon'ble the Supreme Council.

	Rs.	As.	P.
78,643 Solid feet 9 in. of Brick-work, Materials, Plaistering and workmanship @ 36 Rs. p. % Feet	28,311	12	0
7,200 Solid Feet of Brick Flooring @ 40 Rs. p. % Feet	2,880	0	0
7,200 Superficial Feet of Plain Roofing workman- ship @ 20 Rs. p. % Superficial Feet ...	1,440	0	0
156 Timbers @ 20-8	3,198	0	0
5,754 Two Feet Tiles @ 10 Rs. p. %...	575	0	0
7,200 Superficial Feet of Terrassing complete @ 40 Rs. p. % Superficial Feet ...	2,880	0	0
94-3 Iron-Workmanship for barring 10 Large Windows to the Bottom each 10 Feet by 6-94 Cu. 3 qr. @ 25 Rs.	2,368	12	0
94 Cwt. 3 qrs. Iron at Crs. 15-12 per Cwt. ...	1,382	0	0
Allowance for Charcoal in working the above Iron @ 5 Rs. per Cwt.	473	12	0
Steps and Stairs for the House @ all the Buildings	500	0	0
Gate	300	0	0
7 Doors @ 60 Rs.	420	0	0
16 Windows for the Keepers House Painting, and all material @ 60 Rs.	1,600	0	0
6 Large Padlocks ... @ 6 Rs.	36	0	0
Filling 3 Doors 10 Feet by 6 with Large Square top't Nails	120	0	0
Tank 100 Feet by 60 and 20 Feet deep ...	600	0	0
FORT WILLIAM,	47,085	4	0
<i>August 20th 1782.</i>			
Of wch. Payable from the Company	25,000	0	0
Commission allowed—15 per cent.	7,062	8	0
Amount of the Bonds Ar. Rs. ...	32,062	8	0

J. HARE,
Sheriff.

XVI.

TO THE HON'BLE WARREN HASTINGS, ESQR., *Governor-General*, &CA.
COUNCIL OF REVENUE AT FORT WILLIAM.

HON'BLE SIR, & SIRS,—In Obedience to your Orders transmitted to us by
your Secretary, we directed the Collector for the
Rev. Commec. Town of Calcutta to measure the Ground occupied
by the Horrionbury, he has informed us that it contains 4 Begahs 13 Cottahs,
according to the Value of Ground in such Situation it is estimated at 200 Sicca
Rupees P. Cottah; the Amount of the whole will be 18,600 Rupees.

We are with Respect., etc.,

CALCUTTA }
25th November 1782. }

J. SHORE.

CR. CROFTES.

XVII.

TO THE HON'BLE WARREN HASTINGS, *Governor-General*, &CA.
MEMBERS OF THE SUPREME COUNCIL OF FORT WILLIAM.

HON'BLE SIR & SIRS,—We had the honor to lay before you a Report of
the Collector of the Town of Calcutta regarding the quantity and value of the
the Ground now occupied by the House of Correction called the Herringberry,
in this Report the value of the Ground was estimated at 200 Sicca Rupees P.
Cottah which from a consideration of half the Ground being covered by a deep
Tank we are of opinion is too high from which circumstances we beg leave to
observe that the quantity of the whole Ground including the Tank would be
fairly valued at 150 Sicca Rupees P. Cottah.

In reply to your Secretarys Letter of yesterday's date we have the honor
to acquaint you that for similar reasons we consider the value of the Ground
occupied by the old Jail should be estimated at the same rate and the whole
consists of nearly 2 Bigahs and 11 Cottahs including the Tank & other
broken ground.

We have the honor, etc.,

FORT WILLIAM: }
The 20th December 1782. }

SAML. CHARTERS.

CR. CROFTES.

XVIII.

TO THE HONOURABLE THE GOVERNOR-GENERAL AND COUNCIL, &C., &C., &C.

SIRS,—The new Gaol being ready for the Reception of Prisoners, and
the old one in a State likely to endanger the Lives of the unfortunate
confined there, You will be pleased, (when you shall see meet and approve) to
issue such Orders, as may enable me to make the necessary Removal.

I presume further to inform you the Propriety of whitewashing the Inside of the New Prison, and that there are, & have been for some time, six french Prisoners therein. I have the Honour to be, with the most profound Respect,

CALCUTTA :
27th Febr'y. 1783. }

Sirs, etc.,
JEREH. CHURCH,
Sheriff.

XIX.

JAMES PETER AURIOL ESQR., *Secry*, FORT WILLIAM.

SIR,—In Conformity with your letter of the 17th Ultimo, I have the Honor to enclose a special Bond for Performance of Mr. Hare's Agreement for Building a new Harronbarry at Bereegy¹ executed by myself and by Mr. Henry Scott as Security.

CALCUTTA :
The 1st March 1783. }

I am Sir, etc.,
JOHN PRINSEP.

XX.

Extract from the Public Proceedings of the Governor-General and Council, 5th April 1783.

Mr. Hare, the late Sheriff having received our orders to repair the Hurronbarry or House of Correction in Calcutta, at the same time,—we authorised him to erect a proper wall round the New Jail, reported to us the decayed state of the buildings and wall which required a thorough repair, that he estimated the expence at 25,000 rupees. At the same time he proposed the erection of the New Jail and adjoining to it, by which a nuisance would be removed from the centre of the town, and a more durable accommodation established in its room, as he offered to repair the old one, and to receive the sum in Company's interest notes, provided that the ground of the Old Gaol and the Old Hurronbarry should be given up to him, which, upon a valuation made by the Committee of Revenue was reported, at 150 rupees per cotta, to be worth Sicca Rupees 21,600, and this proposal appearing to the Governor-General to be an eligible one, * * * * *

XXI.

TO WILLIAM BUSHBY, ESQ., *Secretary* TO THE HONBLE THE

BOARD OF INSPECTION.

SIR,—The Hon'ble the Governor-General and Council having referred an Account of the Ballance due to me in Consequence of their Orders to build a new Wall round the Gaol, to the Board of Inspection where that Business did

¹ Dihl Birjee.

not originate, it is proper as I am obliged to leave Bengal, to make you acquainted with some Particulars of it, which are known only to the Secretary to the General Department, who issued those Orders to me.

Being apprized of an Account delivered into your Board in the Year 1778 by the Chief Engineer specifying the Disbursement actually incurred by 100 Solid Feet of Brick Work, of the best Materials and Workmanship, amounting to 36 Ar. Rs. P. $\frac{1}{2}$ and that the Hon'ble Board investigated & approved that Account: I desired Mr. Lyon to draw out for me an Estimate of my proposed Work, which he accordingly did: this Estimate was formed upon the Chief-Engineer's, and included the Amount of the Disbursement and Commission allowed by the Board upon it of 15 P. cent., making in the whole Ar. Rs. 41-6a.-5p. instead of 36 Ar. Rs. P. 100 Solid Feet and 15 per cent. commission wch. are equal to it. This original Estimate the Ground Work of my Proposal is inclosed No. 1—Previous to my delivering it into the Board, I was told it was the official Practice of the Chief Engineer never to consolidate the Disbursement & Commission, in his Estimate,—but to confine it to the former only, and when his work was finished to charge his Commission upon the amount of his approved Estimate. This will appear by the inclosed Papers No. 2 & 3 the former being a Copy of one of his Estimates as delivered to the Board, (from wch. mine was transcribed) the other an attested Copy of his Bill for making the Compound of the New Gaol, charging the Brick Work 36 Ar. Rs. and an advance upon this disbursement of 15 P. cent.—In the same Form as my account before the Board. To mark more strongly my Caution and uniformity in this Transaction I beg Leave to mention that when the Board in the general Department took the Subject of my first Letter into their Consideration, Mr. Auriol the Secretary at my particular Request favored me with an immediate Intimation of their Pleasure, ordering me to deliver in an Estimate, I returned on the same Paper an answer importing that my Terms would necessarily be regulated by the Price allowed by the Board for the former Wall built by the Chief-Engineer, this reaching Mr. Auriol before the Council rose, he mentioned it there, and wrote me in Pencil on the same Note *that it was agreed to*: this original Voucher is likewise inclosed, No. 4.

If you should inspect Sir the remaining Paper inclosed No. 5 you will find it to be a copy of the Chief Engineer's Estimate of 100 Feet of Brick, and that the collateral Memorandums in my M. S. S. contain the Price paid for the Materials employed in the Company's Work executed by me, and I declare the account to be a faithful one.

I am Sir, etc.,

J. HARE.

FORT WILLIAM: }

April 22nd 1783. }

XXII.

Selections from the Calcutta Gazettes. Vol. I. P. 292.

THURSDAY, DECEMBER 11TH, 1788. Plan of a Lottery submitted to the Public, consisting of six valuable prizes * * * * *

SECOND PRIZE.

A Piece of Ground known by the name of Hurring Berry, immediately adjoining the north of the Bazar, in front of the Public Road leading to Chit-pore, comprehending four biggahs and thirteen cottahs of ground, on which there are thirty pukka Godowns erected on the east side for a General Grain market, valued at 39,000.

History of the Calcutta Madrassa.

ESTABLISHMENT OF THE MADRASSA AND OBJECTS OF ITS FOUNDATION.

THE earliest educational institution established by the Hon'ble East India Company for the education of the people of this country is the Calcutta Madrassa, and the earliest record regarding the Calcutta Madrassa is a Minute by Warren Hastings, dated the 17th April 1781.*

In this he informs the Board that in September 1780 he had been waited upon by certain Mussulmans of "credit and learning," who begged that advantage be taken of the presence of one Mujeed-ood-deen, a stranger among them, who was known to be possessed of considerable erudition, to open a school for "the instruction of young students in Mahomedan Law and in such other Sciences as are taught in the Mahomedan Schools, for which he was represented to be uncommonly qualified." The petitioners said that such an institution was required for training candidates for "the numerous offices of the Government, which required men of improved abilities to fill," and particularly as "care had been occasionally observed to select men of the first eminence in the Science of jurisprudence as Judges in the Criminal, and Assessors in the Civil, Courts of Judicature." Lastly, the petitioners alleged as a reason for going to the Governor-General "the belief which generally prevailed that men so accomplished usually met with a distinguished reception from himself," an allusion to his patronage of letters, the bare truthfulness of which removes from it all appearance of compliment or flattery. Accordingly, Mujeed-ood-deen was engaged in October 1780, and set up a school, the expenses of which were paid out of the Governor General's private purse. At first a house had to be hired, and the monthly cost was for :—

Preceptor (Mujeed-ood-deen)	...	...	Rs.	300
40 Scholars from 7 to 5 Rs.	...	...	"	222
Sweeper	...	...	"	3
House-rent	...	...	"	100

TOTAL RS. 625

* For the full text of the Minute, see Public Consultations, 17th April 1781, No. 6, reproduced in Appendix A.

Subsequently Warren Hastings purchased a piece of ground for the erection of a suitable building "near the Baitakhanah" in a quarter of the town called Paddapookur for sicca Rupees 5,641. He continued defraying the cost of the establishment from October 1780 till April 1781 when he brought to the notice of the Board the measures which he had adopted for providing a nursery of Muhammadan Law Officers and Judges for the service of the Government. It was then (April 1781) that he proposed that Government should take upon itself the further support of the Madrassa and that on the land purchased by him in "Puddopookur" a house should be built at an aggregate expense of Rs. 51,000. Although these proposals were approved by the Board and recommended by them to the Court of Directors, no assignment from the Public Revenue for the maintenance of the Madrassa was ordered till April 1782, down to which period Warren Hastings kept it up at his private cost. In that year he submitted to the Board* an account of the money thus disbursed by him, and obtained an order on the Treasury for Rs. 15,251 for its repayment, with Rs. 5,641 for the land taken up for the "Mudrussa Buildings." The Board at the same time ordered the appropriation of the rents of lands in certain mouzahs in the 24-Pergannahs, amounting to Rs. 1,200 per mensem for the future maintenance of the Madrassa and reported their proceedings to the Court in the following extract, Public Despatch, dated 15th July 1782:—"20. The Madrassa or College for the promotion of oriental learning which was established by our resolution of the 18th April 1781, having been placed upon a proper and regular footing and the buildings for that purpose completed we have assigned the revenue of certain villages in the neighbourhood, amounting to Rs. 1,200 per mensem for its support and have no doubt that it will be found fully to answer the end of its institution."

In the year 1785 in which Warren Hastings retired from Bengal he wrote another Minute† in which he enters into a further exposition of the purposes for which he had founded the Madrassa. It had, he says, been deemed expedient on maxims of sound policy to continue the administration of the Criminal Courts of Judicature and many of the most important branches of the Police in the hands of Mahomedan Officers. But, for the due fulfilment of the duties attached to them, not only natural talent but also considerable attainments in the Persian and Arabic languages, and an extensive knowledge of the complicated system of laws founded on the tenets of the Mahomedan religion, were required; and this species of learning had for sometime past been on the decline. "Since the management of the revenue

* See Public Consultations Nos. 2-3, June 3, 1782, reproduced in full in Appendix B.

† For the full text of the Minute, see Revenue Consultations 21st January 1785 reproduced in Appendix C.

has been taken into our own hands, it has chiefly been carried on by the English servants of the Company, and by the Hindoos, who, from their education and habits of diligence and frugality possess great advantages over the Mahomedans in all affairs of finance and account." With the decay of the wealth and importance of Mahomedan families in the province, became diminished year by year their means of giving their sons the education which fitted them for responsible and lucrative offices in the state. To restore the chances in their favour, the Governor-General, after establishing the Madrassa, had obtained the consent of the Board to alienate the rents of certain mouzahs in the 24-Pergunnahs from the general revenues, for appropriation towards the perpetual maintenance of the institution and its endowment forever. The lands themselves were placed under the direct management of the 24-Pergunnahs; but the Governor General did not approve of the arrangement, and he proposed:—

(1) That a sunnud of towleat or guardianship to the establishment, with the lands annexed to it, be issued in the name of the present Superior "Mahomed Shey-du-deen"* to continue during the pleasure of Government, the succession to be at the disposal of the Governor-General in Council.

(2) That the lands appropriated for the maintenance of the Madrassa be delivered over to the charge of the said Superior or Guardian, and their jumma separated from the public revenue.

(3) That all charges on account of the Madrassa be defrayed by the Superior in consideration of his obtaining the lands, and that the Committee [of Revenue] be not required to incur further charges on this account.

(4) That the Superior submit to the Committee of Revenue a monthly report of the number of pupils and the salaries paid to them.

(5) And that a member of the Committee of Revenue visit the Madrassa every three months or oftener, to see that every thing is in order.

To all these suggestions the Board agreed, and moreover directed that a recommendation be addressed to the Naib Nazim,† that on the occurrence of vacancies in the fouzdarry courts, they should be filled up by students of the Madrassa who had obtained certificates of qualification.

The Committee therefore placed the collections of the mahal under the immediate supervision of the Superior, Mujeed-ood-deen, and instructed the Collector accordingly.‡

MADRASSA MAHAL.

Madrassa Mahal is frequently mentioned in the early records regarding the Madrassa, and it is worth while enquiring whether, as the name

* A mistake for Mujeed-ood-deen.

† Then Mahammad Reza Khan.

‡ Revenue Consultations, 19th Aug. 1785, No. 92, (Cons. 3rd).

implies, any such endowment as Warren Hastings really contemplated ever took place. There is the clearest evidence to show that both the Governor-General and the Members of the Government at the time fully intended that the Madrassa should derive its revenues directly from land, and that, in some way or other not absolutely defined by any of them, the appropriation of such land should be an inalienable investment. But this purpose was never carried out, and the Madrassa Mahal, except for a few years that it continued under the management of the head Moulvi, long ceased to have any connexion with the institution. The following particulars are obtained from a Minute* written in 1819 by Mr. Salmon, then Member of the Board of Revenue, after a diligent search among the records of the Board's office. As already mentioned, Warren Hastings, in April 1781, laid before his colleagues a plan for the establishment of a "Seminary of Mahomedan literature," and immediately after the Committee of Revenue were, at his instance, moved to mark off certain lands in the pergunnah of Calcutta, which were to be set aside for the support of the institution, and were on that account to be left out in the settlement of the whole pergunnah. The list of these lands comprised "53 mouzahs and kismuts of the khas mehals of the pergunnah Calcutta, and detailed the jumma of each, exhibiting a total of rupees 36,028 (leaving out fractions) whereof "rupees 29,142 were actual or forthcoming assets and the remainder either hopeless or doubtful." The Committee ordered that "these lands be struck out of the khas mehal of Calcutta Pergunnah, that a reduction of the said jumma being rupees 29,142 be made in the jumma of the farm, and that "Mr. Touchet (the Collector) be directed to send some person to take charge of the revenue of these lands until the Governor-General in Council shall have passed some order respecting them." But no order appears until June 1782, when the then Secretary, Mr. J. P. Auriol writes thus to the Committee of Revenue: "A Mudrassa or College for the study of the Mahomedan Laws and Sciences having been established by the Hon'ble the Governor-General with the authority of the Board, I am directed to signify the same to you to deliver over to your charge the kowallahs taken from the persons from whom the several parcels of land have been purchased on which the College is erected, and to convey to you the orders of the Hon'ble the Governor-General in Council that you assign the rents of one or more mouzahs or villages in the neighbourhood of the place for meeting the expense of this establishment amounting 1,200 sicca rupees per month, and regulate the mode of collection and payment of the same in such manner as to fix and ascertain the amount and period of receipt, and prevent any future abuses of one or misappropriation of the other. This revenue is to be applied to the support of the College from the 1st instant," [June 1782.]

* Revenue Consultations, 23rd July 1819, Nos. 11-22.

Mr. Salmon's narrative here breaks off, for the next incident he mentions is in 1790, omitting the orders recited before, almost the last of his administration, issued in 1785 by Warren Hastings for placing the Madrassa Mahal under the direct management of the Superior. The arrangement was found to be so unsatisfactory within three years that it had to be set aside.* Maulvie Mujeed-ood-deen was not a man of business, so far as the supervision of a landed estate was concerned, and the revenue collections fell off considerably. An "Ameen" was appointed to look after them. This officer elsewhere called Mootawallee, seems to have possessed extensive functions, besides the control and supervision of the Madrassa property. He was charged with the preservation of the discipline of the College; he had a material voice in regulating admissions; he had the power of granting leave; in fact, his authority always independent of the teachers, left them but scant respect in the eyes of their pupils except during the hours of actual instruction. The management proved a failure, financial as well as administrative. The collections did not improve, although the lands were let out to farm; and the preceptor and his pupils could not obtain their salaries. The divided government was found inconsistent with order, and John Shore (afterwards Baron Teignmouth), then President of the Board of Revenue, was obliged to deprive the Ameen of his office, and assume the control of the money affairs of the institution into his own hands, leaving its interior economy to the preceptor.

Mr. Salmon's account may now be resumed. According to him, in consequence of the proved incapacity of the preceptor and ameen (or "sezawul" as he is here called) to manage the estate, the Board of Revenue in 1790 recommended that it should be re-annexed to the Collectorship of 24-Perganas; that the Collector should ascertain what jumma it might be equitable to fix on the lands, and that they should then be sold subject to such assessment, and "that the amount of such assessed revenue should be appropriated to the use of the Mudrussa." The Government agreed, but at the same time said that "the jumma of the lands being appropriated in this manner, it was not necessary to include it in the account settlement of the district, but that the revenue be remitted as it may be received to the Sub-Treasurer for the benefit of the Mudrussa." No assessment took place, but the Madrassa Mahal seems to have been under direct management until 1795, when Raja Iswar Chandra Roy, Zeminder of Nuddea, asserted his claim to the proprietary right of the Madrassa lands. A special enquiry was instituted, the result of which was that, in 1800, they were made over to him at an annual Government rental of Rs. 24,870. Neither in 1795, when the Raja asserted his title to the Madrassa lands, nor in 1800, when they were

* Revenue Consultations, 23rd January 1788.

transferred to him, was any application made to Government respecting the funds of the institution "which had undergone so many alterations and ultimately alienations"; and since 1800, as Mr. Salmon says, it received an allowance from the Treasury exclusively as a "money pension from the Government."

It has been deemed expedient to enter into this minute history of the Madrassa Mahal, as certain reforms in the studies and constitution of the College were formerly resisted on the ground that it had received an "endowment" for a specific object. There is nothing to show that "the lands assigned to constitute the Mudrussa Mehal were formally bestowed as an endowment, or that Government after the surrender of the proprietary right in them to the Rajah of Nuddea in 1795, ever fixed any precise sum by way of commutation or of annual allowance for the institution." Mr. Salmon writing in 1819 concludes that "the lands were never formally endowed, and that the provision made was rather a temporary assignment on their revenues than any grant of property, and it is clearly shown by the Treasury memorandum (then before him) that even such assignment has long since ceased, and that the jumma of the Mehal is carried to the credit of the public rental in common with the revenue of the 24-Perganas, and the disbursements of the institution are charged with the pensions and charitable allowances as a Government charge."

SUCCESSIVE REFORMS.

In 1791, an enquiry conducted under the orders of the Board of Revenue disclosed very culpable mismanagement on the part of the Maulvi. Mr. Chapman visited the Madrassa and found it in a wretched state of filth and disorder.* There were scholars nominally on the rolls who attended only when pay time came round, and who learned almost nothing. As an incident of College life in the Madrassa in those days, it is mentioned that during a Mahomedan festival a number of students committed a daring burglary in the house of one of the principal inhabitants of the city. Under the advice of the Board, the Governor-General, Lord Cornwallis, removed Mujeed-ood-deen from the post of preceptor and appointed Mohamad Israil in his place. A Committee was appointed to superintend the affairs of the college, consisting of:—

1. The President of the Board of Revenue—*President*.
 2. Persian Translator
 3. Preparer of Reports
- } *Members.*

The first Madrassa Committee was composed of Messrs. T. Graham, G. F. Cherry, and C. G. Meyer. A code of rules was laid down in which the

* Revenue Consultations, 18th March 1791 Nos. 7-10.

Committee were enjoined to visit the college once in every two months or oftener, and exercise a proper vigilance over the conduct of the Preceptor; the Preceptor was to be appointed by the Governor-General in Council, and to be removed only by His Excellency on proof of incapacity or misconduct; the Committee to nominate and to remove under-teachers at their discretion; under-teachers were placed under the Preceptor, to whom they were to pay implicit obedience; he was to make all promotions from class to class; and the first class was to be specially instructed by him; he only was to inflict punishment on the pupils, by curtailing their allowances, or by expulsion. Those who were qualified, particularly in law, were to be appointed to the Civil and Criminal Courts. No student was allowed to remain on the establishment for a longer term than seven years. The studies prescribed were:—

1. Natural Philosophy.
2. Theology.
3. Law.
4. Astronomy.
5. Geometry.
6. Arithmetic.
7. Logic.
8. Rhetoric.
9. Grammar.

“The khuteeb or reader of the Koran and a mowazzin or crier, shall regularly attend at the Mudrussa, that the students may daily perform such acts of religious worship as are prescribed by the rules of the Mahomedan faith.” Every Friday was set apart for religious worship and purification. The charges on account of the establishment were to be paid from the Treasury, and they were:—

For the Preceptor	...	...	...	Rs.	400
„ 1st under-Master	...	...	...	„	100
„ 2nd Do.	...	...	...	„	80
„ 3rd Do.	...	...	...	„	60
„ 4th Do.	...	...	...	„	40
„ Khuteeb	...	...	...	„	20
„ Mowazzin	...	...	...	„	10
„ Students @ rates from	...	Rs. 6 to	„		15

As if to mark as strongly as possible the religious character of the institution, the public accounts bear entries of expenses attending the celebration of the Id-uz-zuha and Id-ul-fitr, passed by the Governor-General in Council.*

* Revenue Consultations. 11th Dec. 1807 Nos. 42 and 45.

INTRODUCTION OF EUROPEAN SUPERVISION.

The Madrassa Committee after the introduction of the last reforms, which imparted to the College a more decidedly Mahomedan character than it had ever worn since its foundation, became convinced that it required European superintendence.* After describing the duties and privileges which in the government of the College belonged to the office of Ameen, and the reasons which induced Sir John Shore in 1788 to abolish it, the Committee said that this measure threw into the hands of the Preceptor a much larger share of authority than should properly belong to him; that he was virtually absolute in the management of the Madrassa; and that the Committee possessed no means of keeping themselves informed of any possible acts of oppression or injustice on his part and that of his assistants, or of applying remedies against them. They, therefore, recommended that a European Secretary should be appointed. "His duty would be to visit institution from day to day, to inspect the conduct of all its details, to communicate with the students as well as the teachers, to assemble the Committee on all necessary occasions, to keep a record of their proceedings, to see their resolutions carried into effect, and to propose the introduction of such measures of improvement as experience and observation might happen to suggest. *Whether these improvements ought or ought not to embrace the future introduction of European Science is a question which Government alone can decide: but on the hypothesis of its exclusion ample room will be left for improving the Oriental system of instruction which is known by those conversant in the subject to delight in surrounding with unnecessary difficulties the attainment of the ends proposed by itself.*" The Governor-General, Marquis of Hastings, was fully alive to the importance of the views expressed by the Committee, but doubted whether the funds of the College would afford the salary of a Secretary without at the same time "encroaching on the just claims of the native community connected with the Mudrussa"; and also wished to be furnished with a well-considered report on the reforms which were thought desirable. His Lordship said: "Your Committee justly intimate the necessity of avoiding everything that might shock the sentiments of the people, and the consequent expediency of proceeding gradually in the course of reform. The Governor-General in Council would, however, by no means wish to restrain your Committee from the gradual introduction of European Science, although it would, of course, be inexpedient to supersede a system which age has rendered venerable, and the defects of which we can scarcely expect to be recognized until the means of communicating correct opinions shall be better matured."

* Revenue Consultations, 16th March 1812, and 9th October 1818 Nos. 15—16.

The Committee answered in an elaborate report* showing fully that the intention of Government was to have endowed the Madrassa with lands yielding an annual rental of Rupees 30,000; that although this object was never carried out, and the expenses of the Madrassa were thrown as a direct charge† on the Treasury, the Government was bound by its original intention, and that an assignment of revenue should be made fully equal to that which would have been derived from the lands at one time marked out for appropriation as the Madrassa Mahal. The Governor-General was satisfied of the justice of this demand, and the sum of rupees 30,000 per annum was fixed for the future support of the Madrassa. The Committee were allowed a Secretary to assist them in suggesting reforms; at the same time they were enjoined "great caution and discretion" as to the degree of interference which he was to exercise in the internal affairs of the institution. The first Secretary appointed by the Governor-General was Captain Irvine, of the 4th Native Infantry, on a salary of Rupees 300 per mensem in addition to his pay and allowances; the selection being due to the Governor-General's opinion that from his previous habits and studies, he possessed qualifications that peculiarly fitted him for aiding the Committee in the task which they had proposed to themselves. No report was, however, made to Government of the reforms which the Committee had in view.

But, in September 1820,‡ they sent up apparently, as an instalment of the scheme, a set of supplementary rules, which were approved by the Governor-General. An abstract of them is subjoined. Lectures were to be given on every day of the week, except Friday; hours of lecture to be from 8 in the morning till 2 in the afternoon; the several classes of students to be distributed among the preceptors in several departments; quarterly reports of the progress of the several classes to be made to the Governor-General through the Secretary; half yearly examinations to take place, both of students and of candidates for admission, and to be held publicly; various prizes, from 12 to 100 rupees each, to be awarded to students at the principal examination in January; smaller prizes and honorary dresses to be awarded for general good conduct; the most distinguished scholars, not on the foundation, as well those on the foundation, to succeed to vacancies in the public service according to merit, and to have equal prizes awarded to them; leave of absence, in all cases, restricted to two months in the year; mode of admission to be by application in writing; no person to continue in the Madrassa beyond the age of twenty-eight years.

* Revenue Consultations, 23rd July 1819, Nos. 11-22.

† Paragraphs 3 to 6 of this article.

‡ Revenue Consultations, 27th October 1820, Nos. 3-4.

The first public examination, in accordance with these rules, was held at the Town Hall, on the 15th August 1821.* The Committee experienced considerable difficulty in overcoming opposition on the part of the preceptors, as well as of the pupils, to an open ordeal of the kind. It was quite natural that they should be averse to it. They were dependent on the head Moulvi for all they had; the teachers for favour and kind treatment, and the scholars for salaries and promotion. A public exhibition of the attainments of the latter would interfere with his exercise of private nepotism which it was their united interest to uphold. But the Committee were firm and had their way. At the second annual examination, held on the 6th June 1822,† the visitors present were the Reverend Mr. Thomason, Dr. H. H. Wilson, Mr. H. T. Prinsep, the Law officers of the Sudder Dewany Adalat and other Indians. The results on both occasions were considered by the Governor-General to be quite satisfactory. The system of jealous exclusiveness with which the Madrassa had hitherto been guarded was broken down; and the Committee felt themselves strong enough to introduce other innovations calculated to ensure the accomplishment of their objects. They wanted to select "a better class of books in certain branches of science than that which constituted the then existing course of study," and they hoped thereby to "direct the labour of the students in channels more likely to be useful to themselves and the State." The Government had no objection, but as usual, recommended caution and conciliation. In the report of the third annual examination the Committee further developed their plans. They discussed the question of (1) establishing an elementary school at the Presidency for preparing younger pupils for the Madrassa; (2) of elementary schools all over the country, with jaigirs or scholarships attached to them as rewards for learning and industry; (3) the restriction of admission to certain legally recognised offices, such as "vakeel, law officer, pergunnah quazee, sudder ameen and moonsiff" to the qualified students of the Madrassa; (4) the preparation of a Persian translation of the Government Regulations.

Lord Hastings retired in January 1823, and his temporary successor, Mr. John Adam, then Senior Member of the Governor General's Council, distinguished himself by at last initiating a body—a sort of Honourary Board—to carry out the policy intended by the framers of the Educational clause in the Charter of 1813. Influenced by Mr. Holt Mackenzie, the author of the first note on Education, Mr. Adam appointed a General Committee of Public Instruction.‡

* Revenue Consultations, 25th January 1822, Nos. 28-29.

† Revenue Consultations, 8th August 1822 Nos. 8-13, and 3rd July 1823 Nos. 14-19.

‡ Resolution dated 17 July 1823—runs thus:—Government of Bengal—Resolution—Revenue Department, Fort William, the 17th July 1823.

The proposals of the Madrasa Committee were referred to it for consideration. From this time, and so long as the General Committee continued in existence, the affairs of the Madrasa were managed through a Sub-Committee, assisted by a Secretary.

In the furtherance of their work in the Madrasa, the Committee felt themselves powerless without the constant presence of an ally in the midst of the Moulvies themselves, and they chose Hafez Ahmed Kubeer to be assistant to the Secretary (Dr. Lumsden) whose antecedents and disposition qualified him for giving them very valuable co-operation. He had for twelve years filled the "responsible office of Khuteeb," and was both a gentleman and a scholar.* Placed in the midst of men who knew for what purpose he was thrust among them, and who cordially disliked him on that account, he managed them with tact and temper. Dr. Lumsden speaks repeatedly of the services of the Hafez in assisting in the introduction of reforms into the Madrasa, and of the estimation in which, although disliked at first by his colleagues in the College, he was held by the Mahomedan community outside. His salary as Ameen was Rs. 100 per month. Dr. Lumsden's salary in 1822 was raised from Rupees 300 to Rupees 500 per month.

1. In pursuance of the intention already announced in the orders passed on the report recently received from the Madrasa Committee the Governor-General in Council resolves that there shall be constituted a General Committee of Public Instruction for the purpose of ascertaining the state of public Education in this part of India and of the public institutions designed for its promotion, and of considering and from time to time submitting to Government the suggestion of such measures as it may appear expedient to adopt with a view to the better instruction of the people, to the introduction among them of useful knowledge and to the improvement of their moral character.

2. The Governor-General in Council is also pleased to resolve that the correspondence of Government with the committee to be appointed as above and with the other committees which may be maintained for the management of individual institutions, shall be henceforth conducted by the Persian Secretary to Government.

3. To that officer therefore the detailed instructions of Government relative to the constitutions and duties of the committee to be appointed as above, to the alterations which it may consequently become expedient to make in the constitution and functions of the several existing committees to the mode in which the correspondence of Government on the subject of public Education is to be brought on the records will be communicated.

4. The Governor-General in Council deems it sufficient to record in this Department his Resolution subject of course to the approval of the Honourable the Court of Directors, to appropriate to the object of public Education the sum of one lac of Rupees per annum in addition to such assignments as are made by the British Government previously to the Act of the 53rd of his late Majesty: and likewise of course exclusively of any endowments which may have been or may be made by Individuals applicable to a like purpose.

Ordered that the necessary communication be made to the Persian Secretary to Government and that that officer be furnished from this and other Departments with all necessary papers relating to the subject of public instruction

This committee was composed of the following persons then among the most distinguished members of the Civil Service:—Messrs. J. H. Harington J. P. Larkins, W. B. Martin, W. B. Bayley, H. Shakespeare Holt Mackenzie, Henry Thoby Prinsep A. Stirling, J. C. C. Sutherland with Mr. H. H. Wilson as Secretary.

* He was throughout his life so highly respected by the European gentlemen who knew him that in 1842 he was deputed by the Government to visit the oriental seminaries in the North-west, and to report on their condition and prospects. *Vide* Education Progs. 5th Oct. 1842, Nos. 18A-19.

In consequence of the unhealthiness of the original site of the Madrassa building,* and its affording to the students great facilities and temptations to dissipation, the Government resolved, in June 1823, to construct a new College in a more suitable locality known as Colingaht, and occupied chiefly by Mahomedans. For this purpose the sum of Rupees 1,40,537 was sanctioned for the purchase of the ground and the erection of a new College building. The foundation stone was laid on the 15th July 1824, and the establishment moved into it in August 1827. Charles Lushington† thus writes in 1824 about the old building of the Madrassa :—

“The building, hitherto occupied by the Madrassa, bring very much out of repair, and being also extremely confined, and placed not only in an unhealthy spot, but in a part of the city which afforded to the students great facilities and temptations to dissipation, immorality and idleness, the Government in consequence, resolved to construct a new College in a more suitable situation. A plan of a building nearly similar to that of the Hindoo College (see illustration facing this page) has been adopted, and the sum of Rupees 1,40,537 appropriated for the erection of the edifice and the purchase of the ground on which it is to stand, a portion of the expense being defrayed by the sale of the old premises. The site chosen is in a quarter of the town denominated Kalunga, which is tenanted by that class of people to whom the professors and students of the Madrassa belong, and in the proximity of the great body of Mussalman population. Besides accommodation for the College, the new buildings will provide for the Mussalman School about to be founded.

The foundation stone of the new structure was laid on the 15th July 1824 with the usual ceremonies of Free Masonry.”

* Which stood on the southern side of the present Bowbazar Street exactly on the spot on which stands the building formerly occupied by the Zenana Mission of the Church of Scotland.

† Now Wellesley Square.

‡ *The History, Design and Present State of the Religious, Benevolent and Charitable Institutions founded by the British in Calcutta and its vicinity, 1824, p. 140.*

INSCRIPTION

On the Plate placed under the Foundation Stone

OF THE NEW

GOVERNMENT MOHOMEDAN COLLEGE.

BY THE BLESSING OF ALMIGHTY GOD.

In the reign
of His Most Gracious Majesty George the Fourth
under the Auspices of the Right Honourable

WILLIAM PITT AMHERST,

Governor General

of the

British Possessions

In India,

JOHN PASCAL LARKINS, Esquire

Provincial Grand Master of the Fraternity

of Free Masons in

Bengal

Laid

The Foundation Stone of this Edifice

the Mohomedan College of

Calcutta,

Amidst the Acclamations of a vast
Concourse of the Native Population
of this City,

In the presence

of a Numerous Assembly of the Fraternity,
and

of the President and Members of the

Committee of General Instruction,

on the 15th day of July, in the year
of our Lord 1824, and of the era of
Masonry, 5824.

Planned and Constructed

by

William Burn, James Mackintosh,
and William Kemp.

وضع حجر اساس المدرسة رئيس ارباب الشورى معهم مستر لاركين بحضور
اصحاب كميت المدارس فى بلدة كلكتة ايام سلطنة السلطان الاعظم الجارج الرابع
وعهد حكومة الامير الكبير الذواب المستطاب لارد امهرست گورنر جنرل بهادر
سنه ۱۸۲۴ مسيحيه مطابقه سنه ۱۲۳۹ هجرية

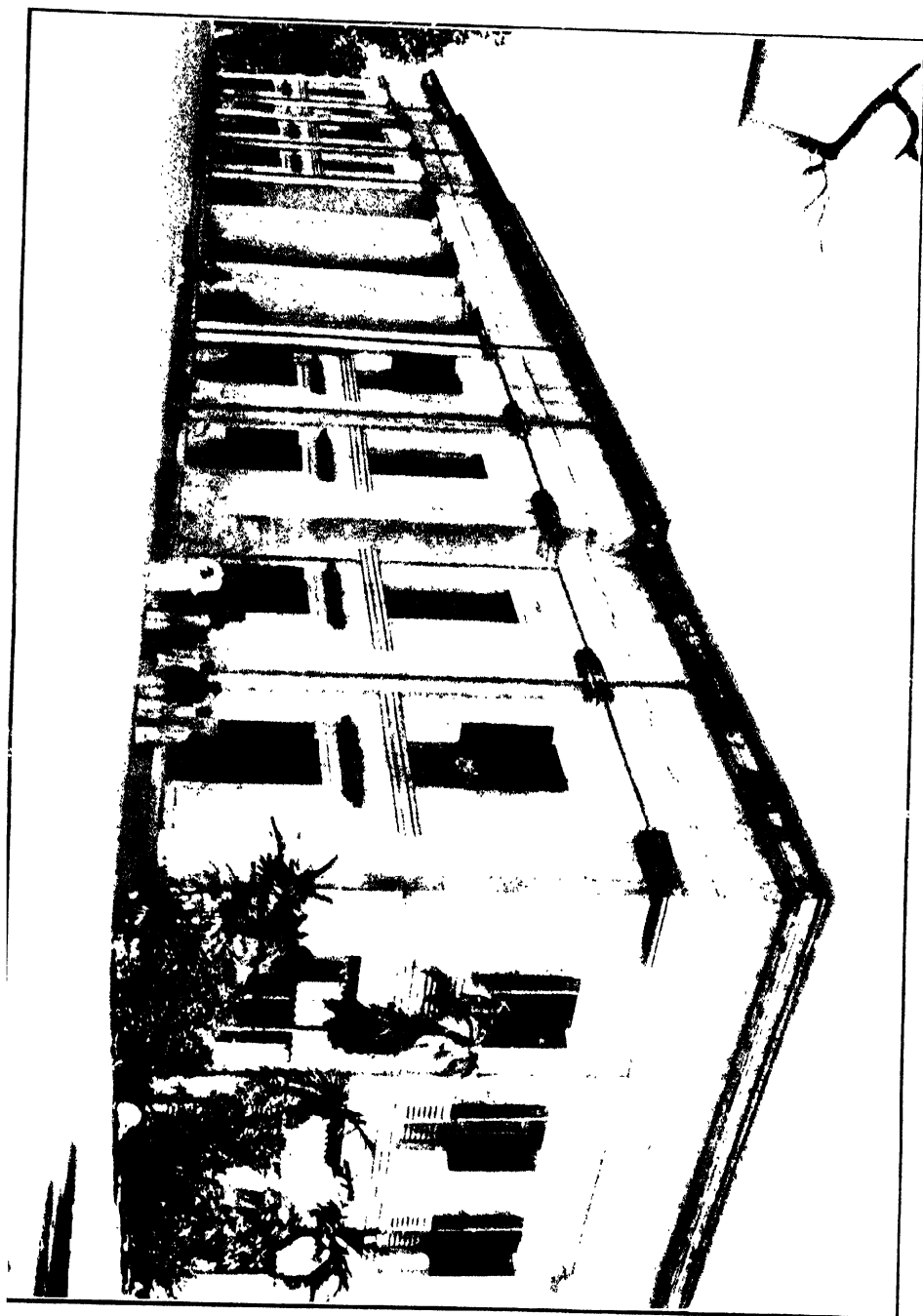
دورزمان عدالت بنیان شاه فلک بارگاہ جارج چہارم ردرعہد حکومت امیر
کبیر کیوان رفعت لارڈ امهرست گورنر جنرل بهادر در شهر کلکتہ رئیس ارباب شوری
مسترلارکین باتفاق اصحاب شورہ بحضور صاحبان کمیٹی مدارس در سنہ ۱۸۲۴ عسوی
مطابق سنہ ۱۲۳۹ ہجری سنگ بنائش نہاد

بادشاہ والاچاہ جارج چہارم کی عہد سلطنت اور امیر عادل فیض گستر نواب
لارڈ امهرست گورنر جنرل بهادر کی ریاست میں شہر کلکتہ ے بیچ مسٹر لارکین
نے جو سردار صاحبان شوریکا ہی ساتھ اصحاب شورہ ے ہوکر روبروی صاحبان کمیٹی
مدارس ے پتھر بنائی مدرسے کارکھا سنہ ۱۸۲۴ عسوی مطابق سنہ ۱۲۳۹ ہجری میں

INTRODUCTION OF ENGLISH.

In 1826, the Committee, acting under the directions of the Governor-General, established an English Class in the Madrasa. The study of English was to form "a regular prominent part of the system of tuition," to which Government "justly attached great importance," and the Committee were to "avail themselves of any opportunity that may offer to encourage that branch of study." An account of this school is already in print, and will be found in the Appendix (No. I) of the *Papers relating to the establishment of the Presidency College*, published as Selections from the Records of the Bengal Government, No XIV. It is deemed unnecessary to reproduce here any portion of this account which extends from 1826 to 1851. From a statement annexed of the cost of establishment and number of pupils from 1829 to 1851 the following facts are deducible. During these twenty-four years 1,787 pupils were taught, at a cost of Rupees 1,03,794, or an average annual cost of Rupees 58 per pupil to work up to a standard scarcely equal to the present Junior Scholarship. In fact during the entire period that it was kept up, the English Department of the Madrasa produced only two Junior Scholars, Abdool Luteef* and Wuheedoon Nubbee. In this respect the corresponding department of the

* Nowab Abdool Luteef Bahadur C.I.F., founder of the Mahomedan Literary Society.



sister College of Mahomed Mohsin at Hoogly did as much, and no more, having likewise produced two English Junior Scholars, Moosa Ali and Waris Ali, who are both spoken of in the Selections already referred to.

It is unnecessary to go year by year over the records of the Madrasa of this period, which are full of discussions on the subject of the "media" most suitable for the communication of a knowledge of Western Literature and Science to the Hindoos and Mahomedans. The times were full of eager and generally of angry controversy between the parties known respectively as "Anglicists" and "Vernacularists," the former advocating the introduction of English into all colleges and schools intended for the education of the Indians, and of its study being insisted on as the passport to their employment in every branch of the public service; the latter, while admitting the primary object of all Indian education to be the acquisition of European Science, yet contending that it should be offered to the mass of the people through their own vernacular languages. In furtherance of their views the Vernacularists had influence enough to obtain the sanction of Government to the translation into Bengali, Urdu and Persian of a large number of English works, which never became popular among the community for whom they were intended. The extreme zeal of the "Anglicists" led them, on the other hand, to measures little short of confiscation of the funds of specially endowed institutions. On the 7th March 1835 Lord William Bentinck recorded his famous resolution in which he directed that "all the funds appropriated for the purposes of education be employed on English education alone"; that Oriental professorships should be gradually abolished, and that the expenditure of money on vernacular translations should at once cease. The resolution caused extreme offence, but was counterpoised by Lord Auckland's famous Minute of the 24th November 1839, in which His Lordship emphatically ruled that under existing circumstances a preference would be given in Oriental institutions to the promotion of perfect efficiency in Oriental instruction. This view was supported by the Court of Directors, in a Despatch* dated 20th January 1841 who ruled that "the funds assigned to each Native College or Oriental Seminary should be employed exclusively on instruction in or in connexion with, that College or Seminary, giving a decided preference within these institutions to the promotion in the first instance of perfect efficiency in Oriental instruction." No changes, therefore, of any importance, were introduced into the Madrasa between 1840 and 1850 which elapsed after the date of the Court's Despatch. In 1842, on the abolition of the General Committee, and the establishment of the Council of Education,† the Madrasa Sub-Committee was done away with, and the Secretary directly corresponded with the Council on all matters connected with the Institution. In 1850

* Education Proceedings, April 1861, Nos. 40-41.

† Resolution dated 12th January 1842.

the Council recommended that, instead of a Secretary, the Madrassa should have placed at its head a European Principal, with duties and responsibilities similar to those in other Colleges, *with the exception of teaching a class*. The suggestion was adopted, and Dr. Aloys Sprenger, a well-known Arabic scholar, was appointed Principal. The head teacher, who had been hitherto designated as Principal, became Head Professor of the College.

ORIGIN OF THE ANGLO-PERSIAN DEPARTMENT.

In 1851 important changes were introduced into the whole of the Government educational establishments in Calcutta, and by a concurrence of circumstances the Madrassa fell into the plan. They originated in the appointment of Dr. Sprenger as Principal of the Madrassa, and the reforms which he, without the concurrence or authority of the Council of Education, introduced into the studies and discipline of the institution. A disturbance took place. Dr. Sprenger resorted to the assistance of the Police to effect the expulsion of the students who had openly mutinied and set his authority at defiance; and finally a Committee of the Council of Education was appointed to inquire into and submit a full report on the causes of the misunderstanding and the measures that were necessary for remedying them. It was found that the pupils objected to the discontinuance of the study of certain Arabic books on Physical Science, which had formed a part of its curriculum ever since its foundation, and to their being ordered to a work on Natural Philosophy only in Urdu with Mr. Lawler, the master of the Anglo-Arabic class. The order was felt to be a most obnoxious one, because—

“(1)—Of the discontinuance of Mybuzee and Sudra.

“(2)—Of having to substitute the philosophy of the present day for the philosophy of the dark ages.

“(3)—Of having to read in Urdu instead of Arabic.

“(4)—Of having to read Urdu and Philosophy with Mr. Lawler, an Eurasian and a Christian.”

The Professors, if they did not sympathise with the students, attempted nothing that was in their power to allay the irritation, or to support the authority of the Principal. The Committee was composed of the President of the Council, the Hon'ble J. E. D. Bethune, Messrs. F. J. Halliday and Cecil Beadon* and Dr. J. Forsyth. Owing to the death of the President before the completion of the report, it was signed by the last three. It will be found printed in full at Appendix Nos. 2 and 3 of the volume of *Selections* already referred to. After the disorders had been effectually quelled, the Council entered at length into the consideration of the question of thoroughly reforming and re-organizing the Madrassa. The Minutes of the Council are to be found in the volume of

* The Hon'ble John Elliott Drinkwater Bethune, Legislative Member of the Governors General's Council and founder of the Bethune College; Sir Frederick Halliday first Lieutenant Governor of Bengal and his successor Sir Cecil Beadon.

Selections, to which reference has just been made, and their recommendations are embodied in the following paragraphs of a letter to the Government of Bengal,* which are hardly susceptible of analysis :—

“The present English and Anglo-Arabic classes should be closed, and in their stead an Anglo-Persian Department should be organized, upon such a scale, and with such an establishment, as to afford the means of acquiring a thorough English education as far as the junior English scholarship standard. Persian should be taught simultaneously with English in this Department, for the following reasons :—

“There is an objection, in all Mahomedan families, to send their children to school at the early age at which Hindoo boys are to be found in our *pat-shalas*. The earliest education of the Mahomedan child is begun in his own home, where, in all families of respectability, he is taught Persian, and enough of Arabic to make him fairly master of the modern composite Persian. This education is commenced at 6 or 7 years of age, and is usually carried on to the age of 10 or 12; when those of the learned class, relations of scholarly families, or persons desirous of taking rank as Moulvees, devote themselves chiefly to Arabic. At this age, a Mahomedan gentleman, in Bengal of the present day, sensible of the necessity of English for his son's success in life, and not caring that he should be learned in the Arabic language and laws, will be very willing to make his son apply himself to English, if he can carry on at the same time his Persian reading; which, as a becoming and agreeable accomplishment, and a liberal acquirement likely to be of benefit to the character, he would not forego.

“The Mudrussa is believed to be a very fit, as it certainly is a very convenient place, in which to originate this Anglo-Persian scheme of study. It is a place of learning which the Mahomedans regard as devoted to their exclusive benefit; it is held in great respect and repute throughout Bengal; and it is freely resorted to by Mahomedans from all parts of the Presidency.

“In addition to English and Persian, it should contain the means of instruction in Hindustanee and Bengalee, the one being the domestic language of the Mahomedans all over India, and the other being the Vernacular language of this Province.

“The Council propose to carry in the Mudrussa the study of English only as far as the junior scholarship standard; that is to say, the standard of school honors. Intelligent pupils, entering at 9 or 10 years of age, ought to be able to attain this standard in 5 or 6 years.

“At the end of this period, the course of education in Persian, which is considered to be fit and becoming for a Mahomedan gentleman, will have

* Education Proceedings, 27th Oct. 1853, No. 99.

been well completed, and the pupil should make his election between the further prosecution of English, and devotion exclusively, or at least chiefly, to Arabic; the simultaneous and prolonged study of the two, in the more advanced stages, being incompatible. If he prefers the Arabic course, he will remain in the Mudrussa: if he prefers the English course, he will prosecute his studies at the great Metropolitan College,* open to all classes, into which it is proposed, as will be explained below, that the present Hindoo College should be converted."

"The Council recommend the following changes in the Arabic Department of the College:—

"They would not oblige those who enter this department to pass through the Anglo-Persian department; but they would require of those who enter it, without having passed through that department, a high entrance standard in respect to Oriental acquirements, equal at least to what would be required of a boy entering the Arabic department from the Anglo-Persian department. In their opinion, it is only where necessity compels it, that elementary instruction is properly given in such an institution as a Government College: and there is no such necessity in regard to Arabic.

"On the other hand, the Council would allow any student in the Arabic department, if he pleased, to attend any particular classes he chose in the great Metropolitan College.

"The Council would cease entirely from attempts to teach the physical sciences in the Arabic language. If these sciences are taught from Arabic books, as at present, a great mass of error and absurdity is taught as if it were truth and reason; and, at the best, progressive sciences are taught as if they had made no progress for some two thousand years. Science ought not, the Council hold, to be thus taught by any Government. To teach it otherwise in the Arabic Department, vernacular translations of, or compilations

* The Council of Education evidently refers to the Hindoo Metropolitan College. The Hindoo Metropolitan College was a first-class independent Native College established by the well-known family of the Wellington Square Dutt of Calcutta who had at one time led the fashion in the late metropolis. The history of this institution is not a little curious and instructive. The sons of the better class of Hindoos were then educated at the Hindu College. Though then a Government college, it had been started by the Hindus themselves and been taken over under conditions to maintain it as a place for the education of the respectable classes of the Hindoo society. That condition was violated when the bastard son of a well-known dancing girl, the famous Hecra, whom D. L. Richardson facetiously called "the Indian Nightingale," was admitted into the college as a student. The incident inflicted a wound on Hindu feeling. It was regarded as a deliberate affront to the entire respectability of native society. A great hue and cry was raised. The managers of the defaulting institution were appealed to repel the boy of the dancing girl in vain. It was as a practical expression of the indignation felt that the Hindu Metropolitan College was founded. It was opened in May, 1853 at a palatial mansion on the main thoroughfare of Calcutta, Chitpur Road, under the presidency of the greatest Anglo-Indian man of letters of the day, Captain D. L. Richardson and a strong staff of professors which included Captain Harris, William Kirkpatrick and William Masters. The indignation of the Bengali community did not, however, last, specially as Government made soon after some concessions to the popular feeling, and the Wellington Square Dutt only lost a fortune in maintaining native character and consistency, until the institution was closed during the crisis of 1857.

from, English books must be made, and a new set of teachers must be provided. This may, perhaps, be found eventually desirable for the older students, who seek a high proficiency in the Arabic *language*. But in English, such instruction is already available elsewhere; and those to whom, for the present at least, instruction of the nature would be acceptable, are the class who, it is expected, will acquire the English language at any rate."

The establishment for carrying out these purposes was as follows:—

ANGLO-PERSIAN DEPARTMENT.

Head Master...	...	...	...	Rs.	400
Second Master	...	...	...	"	300
Third Master...	...	...	...	"	150
Fourth Master	...	...	...	"	100
Fifth Master ...	...	...	...	"	80
Sixth Master...	...	...	...	"	50
Seventh Master	...	...	...	"	40
Eighth Master	...	...	...	"	30
First Persian Teacher	...	...	...	"	100
Second Persian Teacher...	...	...	...	"	50
Third Persian Teacher	...	...	...	"	30
First Pundit ...	...	...	...	"	40
Second Pundit	...	...	...	"	20
Librarian	...	...	...	"	20
					<hr/>
					1,410

a month or 16,920 annually.

"To meet this in part, there was the present cost of the English Department to be abolished *viz* :—

Head Master ...	...	...	...	Rs.	150
Second Master	...	...	...	"	50
Third Master	...	...	...	"	30
Bengalee Master	...	...	...	"	40
					<hr/>
					Rs. 270

and there was the allowance for the Anglo-Arabic class, in abeyance, *viz* Rupees 100, leaving a balance of somewhat more than Rupees 1,000 a month to be provided from the Education Funds."

Subsidiary to the above scheme was the establishment, as a branch to the Madrassa, but in no wise affiliated to or connected with, of a school in Colingah, for the instruction of the children of the lower classes in the subjects proposed to be taught in the Anglo-Persian department of the College. The

concluding paragraphs of the letter of the Council are deserving of special attention :—

“ In closing this report, it may be desirable to bring prominently to notice, that the Government has effectively provided, by the foundation and maintenance of the Sanskrit College, for the instruction of the principal classes of the Hindoo community in their own literature and learned language, in like manner as it has provided, by the establishment of the Mudrussa or Mahomedan College, for the instruction of the Mahomedans in the Arabic language and literature.

“ The Hon’ble the Court of Directors have, by their Despatch of the 20th January 1841, laid it down as a permanent principle, in approval of the recommendations which were submitted to it by the Government of India, that the funds assigned to these two great Institutions of Oriental learning, should be employed exclusively in instruction in, or in connection with, those Institutions, giving a decided preference to the promotion in the first instance of perfect efficiency in Oriental instruction.

“ While the special character and objects of these important Institutions, are carefully borne in mind by the Council, it is its earnest desire so to frame the scheme of instruction in them, as that while every facility is given for the cultivation of the highest Oriental learning, the pupils may also have the foundation well laid, of a knowledge of the English language and of English literature which may enable and induce many of them to prosecute eventually those more improving studies in the advanced classes of the General Metropolitan College.

“ The whole aim of the Council, in the proposals offered in the present report in respect to the Mahomedan College, is, while maintaining its distinctive character as an efficient seminary of Arabic instruction for the learned classes of that community, to infuse into it the same spirit of progress, and of adaptation to the wants of the present time, which so honorably distinguish the Sanskrit College, under the superintendence of the singularly able and enlightened scholar,* under whose care as its Principal the latter college has the good fortune to be now placed.

“ Both of these are, in their nature, separate or exclusive Colleges, conducted upon principles peculiar to themselves. The peculiarity of their constitution the Council would sedulously respect; but it would seek at the same time to bring them into harmony and connection with the highest scheme of general instruction, which is devised for those who are trained only in its English institutions.”

The approval† of the Marquis of Dalhousie, then Governor of Bengal, was communicated to the Council of Education on the 21st October 1853.

* Pandit Iswar Chandra Vidyasagar.

† Proceedings 27th Octobe 1853 No. 109.

In April 1858 the Lieutenant-Governor of Bengal (Sir Frederick Halliday) caused a letter to be written to the Director of Public Instruction, calling for a special report on the Madrasa.* It appeared to His Honour that the time had come for considering whether there was any advantage in maintaining that institution any longer at the cost of the State, and His Honour wanted to have the Director's opinion after consulting Principal William Nassau Lees on the subject. Principal Lees submitted an elaborate report in which he reviewed the question—(1) politically, (2) educationally, and (3) financially.†

(1) There were two courses open to the British Government for adoption towards the Mahomedans of India, who, at first reconciled to the British power by the policy which virtually left the administration of the country in their hands, even after its subjugation by the English, had retired into a sullen discontent on being deprived of that preference. This was the natural result of the introduction of English Judges into the Criminal Courts, the encouragement given to the study of English, the cultivation of Western literature and science by all classes of Indians, and the recognition of merit suited to the wants of the age wherever found and by whomsoever possessed. The Hindoos were ready enough to accept patronage on the terms offered, and the acquisition of knowledge through the medium of English had become with them the essential qualification for every grade of respectability and position in society. But the Mahomedans have held back, and rather than seek advancement by methods which they looked upon (or affected to look upon) as prejudicial to their religion, they have gradually lost their place in public employ and have sunk into poverty and neglect. If Government were to leave them alone, they would sink lower and lower until, in process of time, the best and most respectable of them would have to seek for livelihood by service as domestic servants. But the proper policy of Government would be to reclaim them from the condition to which they would consign themselves, and to regenerate them: and the means for this purpose would be afforded by the Madrasa.

(2) The Arabic department had proved a failure. The reforms in the mode of teaching, contemplated by the Council of Education in 1854, have not been carried out, chiefly through the opposition of the Moulvis themselves. Still it would be impolitic to abolish the institution which is considered by the Mahomedans as designed by Government for their own peculiar benefit. It should be kept up for the special study of the Arabic language, and be called the "Arabic College." The Anglo-Persian Department which has thriven well and has exercised quite a healthy influence on the Mahomedan community should be kept up.

* Proceedings 8th April 1858, No. 83.

† Education Proceedings 11th November 1858, No. 25.

(3) The original endowment of the Madrasa amounted to Rupees 32,000 per annum which in 1853 was raised to Rupees 33,200. The number of pupils in both departments was 173, which gave an annual expenditure of Rupees 158 per pupil. This was rather high, but if the object of the expenditure were attained, the money would be well laid out.

In a subsequent memorandum* Principal Lees mentioned the following as the obstacles in the way of the reforms intended by the Council of Education in 1853 to be introduced into the Arabic Department:—want of sufficient power on the part of the Principal to enforce his authority; the disingenuous conduct of the Head Professor; and partly the incapacity and partly the unwillingness of the Junior Professors to teach Arabic on the other than those methods by which they had themselves acquired it.

Whereupon the Lieutenant-Governor, Sir Frederick Halliday, recorded a Minute,† in which he recommended that the Madrasa or rather the Arabic Department of it, should be abolished, the Anglo-Persian only being retained; that Arabic Professorships might instead be attached to the University or Arabic Chairs established in the Calcutta Presidency College. In these views the Director of Public Instruction, Mr. W. Gordon Young, concurred, and they were formally laid before the Government of India. That Government did not agree,‡ but advised, instead of abolishing the Arabic Department, that the reforms which the Council of Education suggested in 1853 should be vigorously carried out, and with this view that greater authority should be given to the Principal. Thereupon the Director was requested, “in communication with Principal Lees to prepare a detailed plan for carrying energetically into effect the instructions of the Government of India.” The Director was assured “that the Lieutenant-Governor was prepared to afford the Principal the fullest support in any arrangements he may think necessary for procuring fit instruments to put the new plan into real and effective operation.” In 1861 a Despatch was received from the Secretary of State,§ approving of the decision of the Supreme Government, and adding that “as the arrangements now sanctioned must be considered experimental, a special report as to their operation and result must be submitted after a period not exceeding two years from the date of the orders of July 1860.” This special report,|| although called for by the Government of India in September 1862, was never submitted.

[To be continued.]

* Education Proceedings, 11th November 1858, No. 27.

† Education Proceedings, 11th November 1858, No. .

‡ Education Proceedings, July 1860, No. 11.

§ Education Proceedings, April 1861, Nos. 40-41.

|| Education Proceedings, March 1864, No. 21.

Appendix A.

GOVERNOR-GENERAL:—In the month of September 1780, a petition was presented to me by a considerable number of Mussalmen of credit and learning who attended in a body for that purpose praying that I would use my influence with a stranger of the name of Mujid Odin who was then lately arrived at the Presidency to persuade him to remain there for the instruction of young students in the Mahomedan law and in such other sciences as are taught in the Mahomedan schools for which he was represented to be uncommonly qualified. They represented that this was a favourable occasion to establish a Madrassa or College, and Mujid Odin the fittest person to form and preside in it, that Calcutta was already become the seat of a Great Empire, and the resort of persons from all parts of Hindoostan and Deccan, that it had been the pride of every polished Court and the wisdom of every well-regulated Government both in India and Persia to promote by such Institution the growth and extension of liberal knowledge, that in India only the traces of them now remain, the decline of learning having accomplished that of the Mogul Empire, that the numerous offices of our Government which required men of improved abilities to fill and the care which had been occasionally observed to select men of the first eminence in the science of jurisprudence to officiate as Judges in the Criminal and Assessors in the Civil Courts of Judicature, and (I hope this addition will not be imputed to me as ostentation on an occasion in which the sincerity of what I shall hereafter propose for the Public Patronage will be best evident by my own example), the belief which generally prevailed that men so accomplished usually met with a distinguished reception from myself afforded them particular encouragement to hope that a proposal of this nature would prove acceptable to the actual Government.

This was the substance of the Petition which I can only repeat from my memory, having mislaid the original.

I dismissed them with a promise of complying with their wishes to the utmost of my power, I sent for the man on whom they had bestowed such encomiums and prevailed upon him to accept of the office designed for him. He opened his school at the beginning of October and has bestowed an unremitting attention on it to this time, with a success and reputation which have justified the expectations which have been formed of it. Many students have already finished their education under his instructions, and have received their dismission in form and many dismissed unknown to me. The master supposing himself limited to a fixed monthly sum which would not admit a larger number besides day scholars, he has at this time forty boarders mostly natives of these Provinces but some sojourners from other parts of India, among them I had the satisfaction of seeing on the last New Year's day, some who had come from the Districts of Cashmere, Guzerat and one from the Carnatic.

I am assured that the want of suitable accommodation alone prevents an increase of the number. For this reason I have lately made a purchase of a convenient piece of ground near the Boita Connah in a quarter of the town called Podpokur and have laid the foundation of a square building for a Madrassa constructed on the plan of similar edifices in other parts of India.

Thus far I have prosecuted the undertaking on my own means and with no very liberal supplies. I am now constrained to recommend it to the Board, and through that channel to the Hon'ble Court of Directors for a more adequate and permanent endowment.

By an estimate of the building which with a plan and elevation of it shall accompany this minute, the whole cost of it will be 51,000 Arcot Rs. to which I shall beg leave to add the price of the ground being sicca Rs. 6,280. The amount of both is Arcot Rs. 57,745-2-11. It shall be my care to prevent an excess of this sum, which I request may be placed to the Company's accounts, and a bond allowed me for the amount and that I may be enabled by the sanction of the Board to execute this work.

I must likewise propose that a parcel of land may be assigned for the growing charge of this foundation. The present expense is as follows :—

				Rs.	A.	P.
The Preceptor per month	...	...	...	300	0	0
40 scholars from Rs. 7 to 5 per month	...	...	...	222	0	0
A sweeper	...	...	...	3	0	0
House rent	...	...	...	100	0	0
				<hr/>		
			Sicca Rs.	...	625	0 0
				<hr/>		

The day scholars pay nothing. In the preparation of the above expense an establishment of 100 scholars may be estimated at Rs. 1000 per month at the utmost. I would recommend that the rents of one or more *mouzas* or villages in the neighbourhood of the place be assigned for the monthly expense of the proposed Madrassa and that it be referred to the Committee of Revenue to provide and make the endowment and to regulate the mode of collection and payment in such a manner as to fix and ascertain the amount and periods of both and prevent any future abuses of one or misapplication of the other. For the present an assignment of half the estimated sum will be sufficient.

WARREN HASTINGS.

FORT WILLIAM, *the 17th April 1781.*

Agreed. E. Wheler.

Ordered that the estimate enclosed in the above minute be entered after the consultation.

Agreed to the Governor-General's request and ordered accordingly :—

Ordered that copies of the above minute and its enclosure together with the plan and elevation of the building therein mentioned be transmitted to the Hon'ble the Court of Directors by the ships under dispatch, and the subject particularly recommended to them for the purposes set forth by the Governor-General.

Appendix B.

GOVERNOR-GENERAL: As upon enquiry I find that the Committee of Revenue have not yet been directed to assign the rent of one or more *Mouzas* or Villages in the neighbourhood of the spot upon which the Madrissa has been erected for the monthly expence thereof as resolved upon by the Board on the 18th April 1781, and as the monthly expence of that institution has been since that time defrayed by me, I request that the Committee of Revenue may be furnished with the direction recommended by my minute of the 18th April, and ordered to repay to me the amount which I have since that time paid on this account amounting agreeable to the accompanying Account to C. Rs. 8,251-12.

On comparing the statement of the monthly expence of this institution contained in my minute of the 18th April 1781 with the sums which I have monthly disbursed on this account the former of which was taken from the representation of my Moonshy who does not seem to have been apprised of its actual expence, I find that I have in that minute somewhat underrated the sum required for its monthly support. I therefore request that the Board will be pleased to direct the Committee of Revenue to assign the rent of one or more *Mouzas* producing a monthly revenue of twelve hundred sicca rupees per month to be applied to this purpose and to commence on the first of this month.

I find that I have been misinformed as to the cost of the grounds upon which the building has been erected, which was in that Minute stated at 6,280 Sa. Rs., but which amounts to no more than Sa. Rs. 5,641 agreeable to the accompanying account of the "Kowalleahs" taken from the persons of whom the several parcels of land were purchased, which "Kowalleahs" accompanying this Minute.

I request that the Board will be pleased to order the Sub-Treasurer to make a transfer of the amount which I have advanced on this account in the Treasury account of the present month charging the same to the Madrissa and crediting money borrowed at interest for the sums advanced by me, for which I request he may be directed to prepare Bonds in my name with interest to commence from the dates upon which the sums were severally advanced, agreeable to the accompanying account thereof.

I request that the Committee of Revenue be directed to receive charge of the "Kowalleahs" from the Secretary to the Board and to preserve them with the records of their office.

List of the "Kowalleahs" and Receipts given for the ground upon which the Madrissa stand and of the sums paid for the same:—

	Bs. C.		Rs. A. P.
1 Fokeer Chand Tewarrey for	2 5 @ 80 S.Rs. per cottah ...	3,601	0 0
2 Bankier	3 @ ditto ...	240	0 0
3 Urrooney Rawn	4½ @ ditto ...	360	0 0
4 Tajoor Moorman	2 @ ditto ...	160	0 0
5 Haywatty	6½ @ ditto ...	520	0 0
6 Harraney Rawn	5 @ ditto ...	400	0 0
7 Elizabeth and Robert Oliver	6 @ ditto ...	360	0 0
	<hr/>		
	3-12	Sa. Rs. ...	5,641 0 0
7 Kowalleahs		Batta 16 p. C. Rs. ...	902 8 9
		<hr/>	
		C. Rs. ...	6,543 8 9

"Without Date."

WARREN HASTINGS.

(Recorded as Cons. 2 and 3, 3rd June 1782.)

Account of sums disbursed by the Hon'ble Warren Hastings, Esqr., on account of the Madrissa from the 30th April 1781 to the 1st May 1782.

1781	Rs.
May. Paid Moulvey Musdodey for keeping a School	... 200
House rent	... 100
Wages	... 300

@ Rs. 600 or 648

Wages for keeping another School for 25 days.

	Rs. As. P.
@ 470 per month	... 391 10 9
House rent @ 51-8 p.m.	... 42 14 9

@ Rs. 434 9 6 or 469 5 9

Given to Moulaveys Essup and Musrief.

	Rs. As. P.
2 Khillats contg. 4 pp ca 375 or 405	... 1,522 5 9

June.	Rs.
Paid Moulvey Musdodey for keeping a School	... 200
House rent	... 100
Wages	... 300
	<hr/>
	600

				Rs.	As.	P.
June.	Paid Moulvey for keeping another School			...	470	0 0
	House rent			...	51	8 0
					521	8 0
				<hr/>		
				@ Rs.	1,121 8	or 1,211 3 6
July.	Paid Moulvey for keeping another School			...	1,211	3 6
	Carried over			...	3,944	12 9
	Brought forward			...	3,944	12 9
1781.						
August	Paid Moulvey Musdodey for keeping Schools, etc.			...	1,211	3 6
September	Ditto	ditto	ditto	...	1,211	3 6
October	Ditto	ditto	ditto	...	1,211	3 6
November	Ditto	ditto	ditto	...	1,211	3 6
December	Ditto	ditto	ditto	...	1,211	3 6
1782.						
January	Ditto	ditto	ditto	...	1,211	3 6
February	Ditto	ditto	ditto	...	1,211	3 6
March	Ditto	ditto	ditto	...	1,211	3 6
April	Ditto	ditto	ditto	...	1,211	3 6
					14,845	12 3
Amount paid to darogah for superintending the building						
@ Rs. 350				...	406	0 0
				C. Rs.	15,251	12 3
(Without date)						
(Record No. 4 Cons., dated 3rd June 1782).						
						WARREN HASTINGS

WARREN HASTINGS.

Appendix C.

THE GOVERNOR-GENERAL.—It has been deemed expedient on maxims of sound Policy to continue the administration of the Governor-General's Minute. Criminal Courts of Judicature, and many of the most important branches of the Police in the hands of Mahomedan officers. To discharge with credit, the duties and functions annexed to those jurisdictions, it is necessary that the persons who hold them should not only be endowed with natural talents, but also that they should be possessed of a considerable degree of erudition in the Persian and Arabic Languages, and in the complicated system of Laws founded on the tenets of their religion. This species of erudition has for some years past been much on the decline; since the

management of the Revenues has been taken into our hands it has chiefly been carried on by the English Servants of the Company, and by the Hindoos who from their education and habits of diligence and frugality possess great advantages over the Mahometans, in conducting all affairs of finance and accounts. In consequence of this change the Mahometan families have lost those sources of private emolument which could enable them to bestow much expence on the education of their children, and are deprived of that power which they formerly possessed of endowing or patronizing public seminaries of learning. The Phousdary Department which affords but a bare subsistence to the officers employed in it neither possesses the means of encouraging, nor holds out a prospect capable of inducing the sons of the once respectable, but now decayed and impoverished Mahometan families to qualify themselves for succeeding to the duties of it by a long and laborious course of study. These reflections about four years ago suggested to me the idea of founding a Mudderssa or College for the cultivation of Mahometan Literature in the town of Calcutta. I accordingly erected a building for that purpose at my own expence, and with the concurrence of Mr. Wheler at that time the only other member of the Government, I directed the gentlemen of the Committee of Revenue who were then employed in the general settlement of the 24 Perganas some lands estimated at a gross Revenue of Rs. 29000 per annum which it was intended should be appropriated and granted by Government as an endowment for the expence of maintaining the Teachers and Scholars, and of keeping the College in repairs, the Committee carried my directions into execution, and the lands which I had marked out, with some little exchanges admitted on subsequent experience for the sake of conveniences, have ever since been considered as appropriated to the maintenance of the establishment, and have been excepted in the general settlement from being farmed ; they have accordingly been placed under the immediate management of the Collector of the 24 Perganas and an allowance in money of Rs. 12732-5-11 per annum have been paid for the maintenance of the establishment, in lieu of the income of the lands. My journey to Benares took place very soon after the lands were marked out, and I believe it was chiefly owing to that circumstance that no official grant has ever been passed for this endowment. I beg leave therefore to recommend the following propositions to the consideration of the Board, *viz.*,

1. That a sunnund of Towaleat or Guardianship to the establishment with the lands annexed to it in the name of the present Superior Mahomed Sheyda Deen, to continue during the pleasure of Government, the succession to be at the disposal of the Governor-General and Council.
2. That the lands appropriated for the maintenance of the Muddrassa be delivered over to the charge of the said Superior, or Guardian, and jumma of them separated from the Public Revenue.

3. That all charges attending the Muddrissa such as the stated jaghiers or allowances for the students, the wages of servants, repairs, and all contingent charges, be defrayed by the Superior in consideration of his obtaining the lands, that therefore the Committee shall not be allowed to incur any further charges on this account.

4. That the Superior do at the end of every month deliver into the Committee of Revenue, a full and perfect account of the number of students actually maintained in the Muddrissa, with their names and the salaries paid to each.

5. That a member of the Committee of Revenue do once every three months or oftener visit the Muddrissa in order to see that it is kept in proper repair, that the full number of students are maintained, that they regularly receive their due allowance, that the Superior performs the duties of his office, and generally that the purposes of the Institution are not deflected.

The Board agree to the several propositions recommended by the Governor-General, and in addition thereto, that it be recommended to the Naib Nazzaim, that whenever vacancies shall arise in the Fouzdary Courts, they be filled from the students of the Muddrissa on certificates being produced that they are duly qualified for that purpose.

Governor General requested
to write to Naib Naziem.

Agreed that the Governor-General be requested to write the Naib Naziem accordingly.

Leaves from the President's Note Book.

BY the kindness of Miss L. M. Anstey I am enabled to publish in the present number a photograph of a miniature of John Stackhouse, who, in February 1732, succeeded J. Deane as Governor at Fort William. Stackhouse "arrived" in Bengal on the 17th August, 1710. In the year 1733 he was taken to account for the ill deeds of his banyan, and dismissed from his high office. In January 1741 it appears on record that "Mr. Stackhouse's debt is wholly paid," and on September 28th the Burial Register records his interment. He had in 1734 sent his wife and family home to England. A daughter of his, Ann by name, married a Mr. Benjamin Walker, one of the family of Walkers of Southgate so well known to students of the annals of cricket. John Stackhouse was in 1721 one of Church Warden of St. Anne's. Stackhouse was succeeded as President and Governor by Thomas Bradyll. The Stackhouses are a family who play a prominent part in the history of the Quaker community.

In looking through the Impey MSS. preserved at the British Museum I came across the following passage in a letter written by Impey at Patna on 31st August, 1781.

"The person who has chiefly been instrumental in setting on foot the complaints against the Court, and who has conceived a violent animosity against me is Col. Watson of the Engineer Corps, and that merely for having been unsuccessful in a cause, the record of which has been transmitted to Kerby and Rooke. Before he courted me with the greatest assiduity, and professed great regard and esteem for me, the whole of which I have great reason to believe was commenced * * * giving a judgment against him he considered, as I suppose, a breach of friendship and * * * of my invertebrateness. In truth I was sorry to do it, both because I liked the man, who is considered very able, and because the judgment concerned a work, which, if it could have been carried into execution, would have been of great public utility, [although] I verily believe [from] what I have since learnt from men conversant in business of the kind that it was totally impracticable. Creasy was a servant of his, and Hicky,* the attorney who carried over the

* William Hickey, an attorney of the Supreme Court, not Hicky, the Journalist.

petition of the British subjects, was patronised by him. This man is at this time pushing his animosity against me in another way. There is a very low man here of the name of Fay, who had been called to Bar in England, and, therefore, I thought it proper he should be admitted an advocate here. This man, at Watson's instigation, has drawn the paper a copy of which I herewith transmit. He entertains him, as I am informed, in his house, and means to send him to England with the paper. Fay sent it to me in an hand * * * he did not say who were the procurators employing him. Not being in Calcutta, I cannot give the most compleat answers to every part, as I shall hope to do when I am there, and get the materials."

In the Index to my reprint of Mrs. Fay's *Original Letters*, I suggested that Mrs. Fay's "Colonel W. * *" was Colonel Watson. In *Bengal Past & Present* Vol. V. p. 348, I repeated the conjecture: and here at last comes the evidence to turn a reasonable conjecture into an established fact.

Among my notes to Mrs. Fay's *Original Letters* there is one on the subject of the imprisonment of the unfortunate North Naylor which I will venture to quote:—

"The best account of poor North Naylor is that given by Sydney Grier: 'North Naylor was the Company's attorney, who had incurred the displeasure of the Supreme Court by advising Hastings and the Council to resist their high-handed proceedings against the Rajah of Kasi Jara, who was not amenable to their jurisdiction. The aid of the military, when requested by the sheriff to enforce the jurisdiction of the Court, was refused, but the sheriff assembled a force of his own, which broke into the Raja's house and seized his goods. Returning with their spoil, the sheriff's party were met by troops and taken into custody, whereupon the Court retaliated by granting a rule to show cause why an attachment should not issue against Mr. Naylor, and on his refusal to answer interrogatories, he was committed to prison for contempt. At the same time a summons for trespass was issued against the Governor-General and Council, and on their refusal to plead, they were also declared guilty of contempt. The deadlock which ensued was only terminated by the abrupt withdrawal of the plaintiff, Kassinath Babu, in the action against the Rajah and the consequent quashing of the proceedings. Mr. Beveridge, from whose *Comprehensive History of India*, these particulars are taken, says, of course, that Kassinath Babu had been bribed by Hastings to withdraw his suit. Here again, a study of the Miscellaneous Correspondence would have been of advantage, for in February, 1784, Hastings writes to Wheler that Kassinath is begging that his business may be brought to a speedy conclusion. He has a claim on both of them, since he withdrew the case from the Court on Hastings' promise that he would see justice done him. Naylor's release appears to have

come too late, for he was suffering from dysentery induced by the 'insanitary condition of the Calcutta Gaol.' (*Letters of Warren Hastings to his Wife*, pp. 62-63). If Elijah Barwell Impey, the son and apologist of his father, is to be believed, Naylor was in prison from 1st to 16th March, 1780, and he left the Gaol in very much the same condition in which he had entered it. Mrs. Fay says 'he died in confinement.' This is clearly untrue. Naylor died on 19th August 1780. But Sir Elijah's son gives his whole case away by attempting to prove an *alibi*. 'From the 6th of July 1778 to the 15th March in the following year, my father was with his family at Chittagong, above 316 miles from Calcutta. He was in ill-health, and my mother brought to bed at that place, which will account for so long an absence: and during those seven months, Mr. Justice Hyde presided in the Supreme Court. It was Hyde, therefore, and not the Chief Justice who committed Naylor to prison' *Memoirs of Sir Elijah Impey*, p. 196. This *alibi*, I am afraid, will not stand proof, for in February 1779, Sir Elijah was in Calcutta presiding over the case of *George Francis Grand Esq. versus Philip Francis, Esq.* See also *The Memoirs of Sir Philip Francis*, vol. ii., p. 186."

The Home Miscellaneous Collection of the India Office Record Department, No. 146, shows that, not only did Impey himself inflict imprisonment on North Naylor, but he carefully informed the Sheriff that Naylor was to be imprisoned in "the Common Gaol." The Common Jail of 1780 was the old Prison in the Lal Bazar. Here in 1775 Nanda Kumar had been confined and allowed the privilege of living in a tent. From the evidence given by John Shakespear before the "Select Committee appointed to take into consideration the State of the Administration of Justice in the Provinces of Bengal, Behar and Orissa" (Report, No 1. p. 25), I find that Shakespear,

"Being asked 'whether it was supposed that Mr. Naylor's death was occasioned or accelerated by his imprisonment,' said: 'He visited Mr. Naylor when he was in prison: he was then complaining and had been ill sometime of a dysentery, but he does not think that his confinement either occasioned or accelerated his death, though his situation was certainly uncomfortable, if not unwholesome. That Mr. Naylor was confined in a tent pitched within the four walls of the prison yard; that the heat was intense, and the place altogether disagreeable; that his wife died some time before him, whilst he was in prison and left one child. That he never heard of any compensation being made to the orphan child of Mr. Naylor, upon the reconciliation of Sir Elijah Impey and the Governor General, for the sufferings of the father by imprisonment by the Supreme Court, and that the imprisonment of Mr. Naylor was considered a hard measure in that country.'"

The reader of Mrs. Fay's *Original Letters* will be interested to have before him the following reference to her friend, West, the military adventurer. In their General Letter to Bengal, dated 10th December, 1773, the Directors write:—

“The person of the name of West, formerly an officer in our service on the Coast, who escaped from the confinement he was under for deserting to Hyder Ally, having since entered the employ of our open and avowed enemy Cossim Ally Khan, and by a proposal made to the Vizier for the total extirpation of the English, manifested the most inveterate malignity to the Company and was a traitorous disposition to his country, we cannot but be anxious to prevent the mischief which a person lost to every principle of honor, may attempt; and, therefore, direct that, if at any time you may be able to secure the said West, you do not fail to send him to England by the first British ship which shall leave Bengal after the apprehending him.”

In my last “Leaves” (*Bengal Past and Present* Vol. VII. pp. 221-231), I included some records relative to the famous transactions in elephants by William Makepeace Thackeray, the grandfather of the Novelist. These papers show us that the elephants were despatched from Patna, not as Sir William Hunter (*Thackerays in India*) has it to Belgaum in the Bombay Presidency, but to a much nearer destination—Belgram in Oude.

In the last number of *Bengal Past and Present* appeared a fine portrait of Peter Moore and a less satisfactory portrait of his wife (*née* Sarah Richmond Webb). It should be noted that Sarah Webb was a sister of Amelia Webb who married Thackeray of Sylhet. Moore, who was for some time a member of the Calcutta Committee of Revenue, and later on Collector of Rangpur, appeared as a hostile witness at the Hastings' Trial on Impeachment. Moore has a place in literary history as the friend and supporter of Richard Brinsley Sheridan and the guardian of Thackeray. As Moore is distinguished by a biographical notice in the *Dictionary of National Biography*, it is unnecessary to sketch his career in this place. The portraits of Moore and his wife were obtained for *Bengal Past and Present* by the kind services of Colonel John Shakespear, the Resident at Manipur. It was through his Webb ancestry Thackeray inherited his inveterate hatred for the great Duke of Marlborough. Lady Ritchie, in her preface to *The Ballads*

and *Miscellanies* in the Biographical Edition of her father's works, supplies a good deal of interesting matter relative to the Webb girls in Bengal.

Dr. Busteed does not tell us anything about the parentage of the wife of Mr. Justice Hyde. It is of interest, therefore, to note that Mrs. Mary Hyde was a daughter of the Very Rev. Lord Francis Seymour, Dean of Wells, son of the eighth Earl of Somerset. She married John Hyde on 1st September, 1773, and she thus came out to Calcutta as a bride. Hyde died in July 1796, and on the 4th February, 1798, his widow married a Mr. John Payne—probably a relation, as her mother was a daughter of a Rev.—Payne, Rector of Holm Lacy in the county of Hertford. There is a curious and rare instance of a lapse of memory on Dr. Busteed's part on page 101 of the fourth edition of the *Echoes*. The Doctor writes :—

"Mrs. Fay writing from Calcutta in 1780, says that 'on the first day of every term the professional gentlemen all met at a public breakfast at Mr. Hyde's house, and went thence in procession to the Court House.' Fortunately, the procession had not far to go, as Hyde lived next to the Supreme Court, in a house on the site of the present Town Hall, for which he is said to have paid twelve hundred a month."

As a matter of fact it was not till January, 1782, that the Supreme Court moved to the Esplanade. On January 2nd of that year, Hyde records in his Note Book :

"We sat for the first time at the New Court House, which has been taken by the Company for the use of the Court at the monthly rent of two thousand five hundred rupees."

The following extract is from a letter addressed by a Mr. William Johnson to his mother in England towards the close of the eighteenth century.

"We have taken up our residence again in Calcutta in a house, where a Club called 'Selby's Club' was once kept, notorious to all gamblers and will never be forgotten by poor John Mackenzie. However as this may not lead you to the precise spot, it is to the Southwards of the Mission or old Kiernander's Church, the next house in the same line on the Southward to General Clavering's which I know you recollect. To conclude our house was built by Mr. Charles Child in 1775. It is an amazing large house, but we do not propose staying on in it beyond December, as we are then in hopes of getting a house, in which in your time Noisy Campbell lived, directly to the north of the new Church, and it opens into the Church yard."

It may be conjectured that the house once occupied by 'Selby's Club' is the house now occupied by the Planters' Stores. The *Bengal Obituary* supplies the following epitaph :—

Sacred to the memory of CHARLES CHILD ESQ., who departed this life on the 9th of July 1817, aged 99 years and ten months, also Mrs. ELIZABETH CHILD. Obit. 31st July 1822, aged 63 years and 8 months.

"Noisy Campbell" was, I think, the medical man who attended on Sir Elizah Impey. Mr. R. C. Sterndale, who had an unique knowledge of historical ~~foods~~ of conveyance, in a popular lecture stated :—

"The present Mission Row is stated to have been the Rope Walk. but it is not mentioned in any of the conveyances of property, and they are many in this locality, by any designation except 'the road past the General's house.'"

Mr. Sterndale hazarded the conjecture "it is probable that there was no general naming of the streets till the town improvements were undertaken under the auspices of the Lottery Committee." Colonel Mark Wood's Map of 1784-1785, however, clearly shows Mission Row and its name.

Mr. Sterndale, in the lecture referred to, said :

James Philip Lyon, who was murdered together with Ellis, Hay and others at Patna [1763], was the second son of Thomas, eighth Earl of Strathmore of Glannis. More than twenty years ago, I met in Upper Bengal two old gentlemen—twin brothers—whose similarity of habits, modes of thought, voice, feature, and costumes were the source of amusement to their acquaintances, who bore the distinctive family names of Thomas and Patrick Lyon, and the elder of whom claimed to be the rightful Earl of Strathmore."

A letter signed by J. P. Lyon (misprint of T. P. Lyon), reporting the murder of Peter Amyatt was given in *Bengal Past and Present* Vol. VI, p. 245. Mr. Sterndale in his lecture stated :

"In 1761, Peter Amyatt, at that time Collector of Collector * * * * allotted to himself 285 biggahs of land in the parish of Chitpore at a rent annually of less than one rupee per biggah; while Mr. George Vansittart obtained about 632 biggahs of land in Dhee Birjee—that is, the block now lying between Middleton and Short Streets, Chauringhee and Circular Roads. A portion of this was afterwards sold to Mr. Short. The rent was Rs. 789 per annum, redeemable at fifteen years' purchase, say Rs. 12,000 for the entire holding."

The following extracts from the Private Diary of Colonel A. Champion (India Office, Home Miscel. No. 198) contains several items of interest :

1765. *Feb. 16.*—Had the pleasure to breakfast with Mr. Spencer* at Belvidere.

Our conversation was chiefly regarding to the new Fort, and in ~~what~~ manner it was best to secure it from the rapidity of the stream. It was thought necessary to throw 2 piers north and south of it, so as to break the strength of the tides, which sets directly in on it, and gains considerable ground yearly.

Feb. 18.—Early this morning I set out for Barrasut with Mr. Penning. The Country appears extremely pleasant.

Feb. 20.—As we form but one party by turns, the evening was spent at Mr. Burdett's. This morning was out hunting, found plenty of game.

Feb. 21.—This evening I engaged Mrs. Amyatt and Miss Woolaston and family to come to Barasut on Tuesday and stay a day or two.

Feb. 23.—Was out early a hunting and had excessive fine sport.

March 28 to 30.—Remain'd at Barasut and had the pleasure of Mrs. Amyatt and Miss Woolaston's Company with the rest of their family. A more agreeable party I never was on. I wrote to Genl. Carnac. This morning I return with the Ladys to Chitpore, and it being much pleasanter than torn I propose to remain here a few days.

April 4. Early this morning Mr. Amyatt's family with Mr. Spencer and Council came over to Barasut to remain a few days.

April 16. In the evening by Mrs. Amyatt's request I went with her to Dumm Dumba to W. Leycester's.

May 4. In the evening I took leave of Mr. Spencer and the Gentlemen in Council, and immediately went to Chitpore and stay'd the remainder of the evening with Mrs. Amyatt's family.

June 21. Patna. Mr. Billers and Col. Barker dined at my quarters and number of other gentlemen. We were very merry and the conversation was kept up for many hours. Saluted the Col. with 15 guns. I joked with Mr. Billers often on his appearing so very melancholy at times, and in his cups he told me of several things which were the cause; but all this day he was remarkably chearfull.

June 22. I went to Patna and spent the day with Mr. Fullarton, and in the evening I went with the Col. to pay my respect to all the Ladys. At one noon word was brought us that Mr. Billers had wounded himself in the side and that immediate assistance was wanted.

* John Spencer, acting Governor of Fort William, afterwards Governor of Bombay.

Very soon a confirmation came that he had murdered himself on his sword: after he had made 13 wounds, 3 of which was very deep, the last stab the sword broke within him, and went through his heart. The cause of this melancholy accident is not known. It's most surprising that he seemed to be chearfull all the morning. He called for dinner and it was putting on the table. He went into his room, and, without shutting the doors or taking the least precautions to being prevented, he committed this horrible act of violence. A funeral party was ordered of a Captain and 50 ranks and file and 15 half minute guns. There is not one Gentleman of the Factory that does not seem pleased at his untimely end, for they complain heavily of his acts of oppressions to the country people and the treatment of them. Not one of them have been on speaking terms with him for this month past. He has been solely guided by one Mr. Hutchinson, which has been the cause entirely of this misunderstanding amongst them. Time may possibly shew the cause. He had sent to the Military and Civil Gentlemen a publick invitation to celebrate the anniversary of Plassey Day.

[*Calcutta.*] 1765, Dec. 16. The French and Dutch Governor is this day expected down, with many Gentlemen and Lady's from both Settlements, who are invited to a Toldongo given to celebrate the peace with Sujah Dowlah etc., etc.; late in the evening they arrived and landed at Chitpore.

„ Dec. 17. The mornings are excessive (*sic*) cool and pleasant. At sunrise the French and Dutch Governors were saluted with 20 guns.

Dec. 18.—The whole town assembled at the New Fort to see a fight between a Tyger and a Buffaloe, an Elephant and Rhinoseras and 2 Camels. A large square place with huts being made, and Buffaloes with their riders were put in, and afterwards a Tyger loose, who did not attempt to seize one of the Buffaloes. One of the Buffaloes ran at him first, after which there was little or no sport. They then set loose a very large Royal Tyger, but he, being hurt in his hind quarters, was rendered useless. However the animal behaved with a noble spirit, and did his utmost. The Buffaloe, by being led on to the beast, attacked furiously, and would lift up and gorge the Tyger, and threw him over his head with the greatest ease. As there was no opposition, it afforded but little sport or pleasure, the Tyger being at last killed; and, being late, the Company broke up, Camels were brought and fought, they seize chiefly by each other's legs, but it affords no diversion. An

Elephant which had been prepared for a battle, ran wild and endeavoured to force the square. As great numbers of people were about it, 7 were killed. When he found he could not accomplish his design, he then ran thro' a garden wall, and lifted the roof of a house; and, had not his rider behaved well, he would have brought it to the ground. As the Rhinoceros could not be moved, there was no battle.

Dec. 19.—There was a Public Dinner where there were over 200 gentlemen and in the evening a ball, when 37 couples stood up. At midnight the fire-works began to play, and the whole appeared very elegant. The Company broke up at 4 in the morning.

Dec. 20.—At ten this morning notice was given by his Lordship that he intended an Elephant fight. When the whole town assembled, two large Elephants, with each a female were brought out on the plain with . . . their riders on, when they furiously met each other; and after an established struggle, they began and made the second assert, and one of them was freely lifted up from the ground and had never fallen. If once they are thrown, they are immediately killed by the other trampling on them. One soon after ran away. It's remarkable that the beast defends his rider so that he never comes to harm. This day I spent with Mr. and Mrs. Sumner.

1766. Jan. 8 and 9.—Received advice of 4 gentlemen being on their passage from Madras with the intention of being received on this Establishment as Councillars. I labour under uneasiness and struggling of mind whether to stay here or go home, nor can I fix firmly what to do. I had some intentions of proceeding to China with Captain Brook in the *Speak*, in order to get my money home the better.

Jan. 10 and 12.—The whole set of civilians here seem greatly discontented at his Lordship's treatment in calling those 4 Servants from Madras, and will remonstrate to the Company at home. Although it is an urgent proceeding and an arbitrary and violent act, yet I do not pity them, as they had no little pity in my case.

Jan. 13.—His Lordship invited many civilians, but none would accept of his invitation.

Jan. 15.—Dined at General Carnac's, where no Civilian was present.

Jan. 16 to 21.—For some days past, my time has been chiefly spent with General Carnac at Chitpore, Dum-Dum, etc. Mr. Majendie was suspended the Service by the Board for not giving them information of the Remonstrance which the Compy's Servants in General have signed. At present there is great confusion in the Settlement and many scurrilous letters passing to and from the Board.

Feb. 6.—Left town for Europe the following Gentlemen, Hardwick, Wederburn, Sutherland, G. Gray, Leycester and Mrs. Leycester, The latter of these Gentlemen paid no compliments to his Lordship or any other of the Select Committee on parting from Town, except Mr. Sumner, who has decented (*sic*) from his Lordship's opinion in almost every case: On which account they are taking every opportunity for a cause against him. Mr. Sumner on all public occasions is treated with great disrespect and ill manners, so much does party prevail.

Some accounts have this day come of the 4 Gentlemen from Madras being in the River. George Gray was yesterday obliged to file Bail for 10,000 to his Banyan, who is now confined by Lord Clive and by him was compelled to this act to throw a greater odium on Mr. Gray—a shamefull and mean revenge.

Feb. 10.—Early this morning Mr. and Mrs. Amyatt left Town for Europe.

The Amyatts mentioned in the above extracts from Colonel Champion's ~~Diary~~ ^{Diary} were James Amyatt and Maria his wife. Mrs. Amyatt was the widow of the murdered Peter Amyatt, and she was by birth a Miss Maria Woolaston. The Marriage Registers at St. John's (see *Bengal Past and Present*, Vol. IV. p. 492) show that on November 7th, 1765 a Miss Elizabeth Woolaston (*sic*) married General John Carnac. James Amyatt was a sea captain, and, I believe, after his retirement from India, became member of Parliament for Southampton.

The following is an extract from an unpublished letter of Lord Clive.

PLASSEY,
2nd April, 1766.

[TO H. VERELST.]

DEAR SIR.

I am now to acknowledge the receipt of your three letters, the last dated 30th March, enclosing one from Mr. Palk.

We have made a halt at this place. Yesterday the Nabob entertained us with a Tyger fight. The animal was infinitely more fierce than either of the tygers at Calcutta. This diversion (as is generally the case) ended very ragically—no less than 3 men were killed by the buffaloes, and Philpott tells me one of them made a stroke at him.

In the Volume on Eastern Bengal and Assam in the Provincial Series of the *Imperial Gazetteer of India*, it is stated (p. 249) that English Bazar

(Malda) "being an open elevated site on the river bank in a mulberry-growing country.....was chosen in 1676 as the site of one of the Company's silk factories." It may be assumed that this statement rests on the following passage in Streynsham Master's Diary.

[1676] "October 14. Mr. Master being informed by some of the Councill well experienced in these parts that Maulda (a Towne a dayes Journey from Rajamaull on the other side Ganges, "where the Dutch have lately built a ffactory) is a place where great quantityes and varietyes of coarse goods proper for Europe are made and procured, as cossaes, hummums, mulmulls, alatches, sushees, and many other sorts very cheape.

"And having a direction in his Commission and instructions * * * * did thereupon propose to the Councill, that there might be a sume of 4 or 500 rupees layd out in Samples of 5 : or 6 pieces of each sort of goods procurable at Maulda, to be sent home by this yeares ships.

"To which the Councill agreed."

The phrase "on the other side of the Ganges" may perhaps be explained by the fact that in Seventeenth Century Geography India was divided into "India intra Gangem" and "India extra Gangem." As Peter Heyleyn has it, "India *Intra Gangem* is bounded on the East with the river Ganges till the fall thereof into the sea."¹ Malda, therefore, would belong to *India extra Gangem*, or, as Master puts it, would be "on the other side Ganges." Sir Henry Yule, however, does not distinguish between Malda or "Old Malda" and English Bazar or Angrezabad.

In the October following Master writes (at Kasim Bazar), "Mr. Richard Edwards, being now goeing with the Honourable Companies treasure to the mint at Rajamaull, it is thought fitt that, as soone as he shall put that business in a good forwardness, he doe make a set to Maulda to lay out the same in all sorts of goods before mentioned, and to inform himself well of the manner of trade in the place, and to give the Councill an account thereof in writing * * *. And, by reason of Mauldas near sittuation to Rajamaull, the Councill are of opinion (if it shall be thought fitt to settle a Factory there) that it will be a great convenience to the Honourable Companies affairs to consign the treasure (which is usually sent hence to Rajamaull) to that Factory to be minted and sould under their charge and care." In a letter, dated 6th

* Yule : *Diary of William Hedges Esq.* (Haklyut Society) Vol. II, p. ccxxxv.

¹ *Bengal Past and Present* Vol. II, p. 48.



OLD MALDA SEEN ACROSS THE RIVER



MALDA: THE TOWER OF NIMA SARAI.
(XVth Century)

December 1676, Edwards gives an account of Malda, and the reader will find this account in Sir Richard Temple's recently published edition of the *Diaries of Streynsham Master* (Vol. 1, p. 399).

The passages referred to show that in 1676 no commencement of a permanent factory had been commenced either at Malda or the place afterwards known as English Bazar. During my last furlough, I consulted the ancient factory Records of Malda, and at once discovered that the factory was not commenced till 1680. The Records commence on April 22nd, 1680 and on the proceedings of that day it is recorded: "Mr. Fytch Needham, designed chief of this new factory and Mr. Jonathan Prichman 3rd, and five others belonging to his Worship arrived at Mirzapore in sight of Malda. where the Dutch meeting us at the waterside came on board his Worship [s] budgaroe, who, after some discourse, our tent being pitched came on shore to Maulda to hire a house for our residence till our factory shall be built but could meet with none fitting." On the 24th, we read "Hyred a house in town of Maulda being appartements one at 7 rs. one at 4½, the other at 1½ per month." The place was "of brick, but being much out of repair, and the rooms being for blackness and darkness more like dungeons than dwelling houses."

In December, 1680, it is recorded: "Haveing divers times attempted and used our utmost endeavours to buy the ps. of ground pitched upon by the Worshipful Matthias Vincent when here (upon good termes) in view, at length Rajaray Chowdry invited us to goe and see a piece of his land lying on the other side the River about 2 little miles distant from Malda which we liked; and, after many consults and treaties, we came to an agreement with him, and this day our papers for the said ground bought of Rajaray Chowdry at Mucdum-pore was finished, haveing the Cauzees¹ chops and Congoyes² and divers other witnesses to them. It is the highest land thereabouts and lyeth pleasantly and conveniently by the river side which runs there almost due South. The extent of our ground by the river is eight begaes and into the landward seaven begaes (which makes the whole a long square), each begae qts eighty large Coveds of nine nailes of an English yard. It is judged very convenient to take soe much ground or more, if it might have been had, that too many of the natives thatched houses doth not choake us nor endanger the Honble. Companies Factory (ordered to be built) by fire, etc., by which meanes in other their residences sad effect has been produced. For the above said ground Rajaray is now paid 300 Rupees, not but that the ground is really worth more than double that sume, but because at this time he is in great want of money to pay the

¹ Qazi's.

² Qanungoe's.

King's Officer his yearly rent, and in danger, if it be not paid, and for that he is in hopes that by our coming his village may in time become a city, as it is not unlikely, for it stands exceeding well and in the middle of divers great towns of trade where are many great and grievous imposts put upon the people, and their goods (which is not in this place), which no doubt will invite many be our neighbours." The entry concludes: "We have this day alsoe delivered him Rupees. 300 to bring us works hither. He is only to be allowed the charges bringing them from Gower¹ in time of the rains by water which is not far off then, and the works he gives us for nothing, and stone also he promises at that rate what shall have our occasion for which hope will make our building much the cheaper."

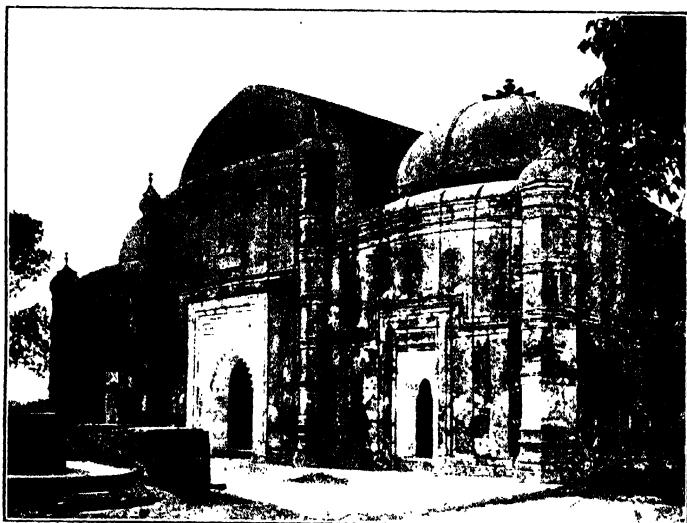
In an article contributed to the *Journal and Proceedings of the Asiatic Society of Bengal* for July 1909, Mr. Monmohan Chakrabarti writes that Malda² (i. e. "Old Malda") was "fortified with gates and had inside a high-walled *Kátrá* or fortified caravanserai for the better protection of valuable goods. It had risen in importance during the Huseni rule, the *Phuti* (cracked) mosque north of the *Kátrá* having been built in the reign of Husen Shah, according to its inscription, dated 11th Shawal, 900 H. (5th July, 1495 A. D.). It might have begun to flourish still earlier, if the loose inscription kept in a tumb near the *Kátrá* really belonged to the place; for this inscription records the erection of a mosque by one Hital in the reign of Mahmud Shah, and is dated 19th Sha'ban, 859 H. (4th August, 1455. A. D.)" My friend, Abid Ali Khan, identifies the site of the *Kátrá* with the place at which Firoj Shah encamped in 1353, when on his way to besiege Panduah.² The old brick tower at Nimasarai, on the tomb opposite to old Malda with its projecting stones shaped like elephant's tusks is another object of interest in the neighbourhood.

In the volume of the *Imperial Gazetteer* referred to, it is stated that at English Bazar "the residence of the Civil Surgeon was formerly a Dutch Convent." That the Dutch established a "convent" in Bengal does not on the face of it appear to be very likely.

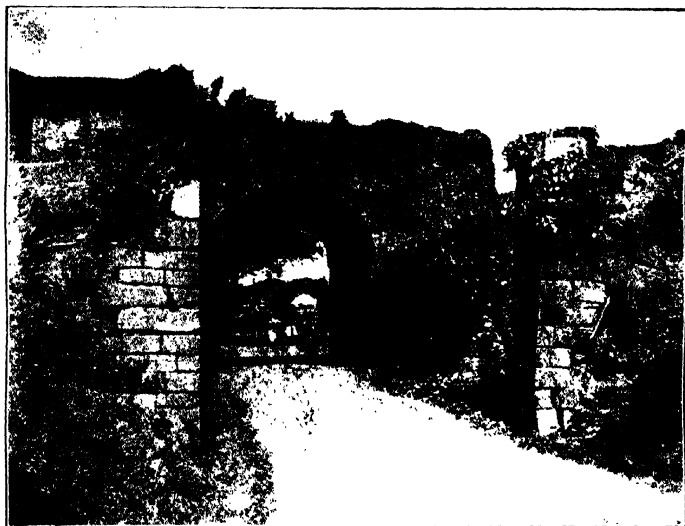
The work that has been achieved in preserving the remains of Gaur and Panduah for the future should not pass altogether without record in the pages of *Bengal Past and Present*, although it is not possible at the

¹ Gaur.

² Abid Ali Khan: *Short Notes on the Ancient Monuments of Gaur and Panduah*. p. 35. S. *Riyaz-us-Salatín*, (Asiatic Society of Bengal Translation) p. 100.



MALDA. THE JAM'I-MASJID. A. D. 1596.



MALDA. THE KATRA OR FORTIFIED KARAVANSARAI.

present time to devote to the subject the space which it deserves. To Lord Curzon Bengal is indebted for the inception of the work, and the officers of the Archæological Department are to be congratulated on the success of their endeavours. In Abid Ali Khan, the Subdivisional Officer of the P. W. D. the ruins have found a learned and faithful custodian, and forthcoming work on the ruins of Gaur and Panduah will no doubt stimulate a new interest in the remains of these ancient capitals. Our Society has visited the Panduah near Burdwan, and the carvings of the ruined mosque at that place afford specimens of what may be found in rich abundance both at Gaur and the greater Panduah. The magnificence of the Adinah Masjid, ruined though it be, altogether surpasses expectation.

ST. JOHNS' HOUSE, CALCUTTA. }
7th March, 1914.

WALTER K. FIRMINER.

Walter Landor Dickens.

I was fortunate to be the means of the re-discovery of the lost grave of Walter Landor Dickens in Alipur cemetery the day before I left Calcutta for England after many years' residence at that place. The circumstances of the discovery appeared in the *Englishman* of 23rd December 1910 on the morning of my departure, and subsequently in *Dickensian*. A photograph of the grave was also published in the *Sphere* of 15th April 1911. I recently offered others, taken in my presence on the morning of the find, to Mrs. Perugini, who very gratefully accepted them. I frequently meet her, and know that the memory of "Wally," the playmate of her childhood, is still fragrant to the only surviving daughter of Charles Dickens.

Walter Landor, fourth child and second son of the Novelist, was born in Devonshire Terrace on 8th February 1841. Forster has not a little to tell of him in the 'Life' and from that work and other sources have been gathered the following particulars of the engaging personality of the young officer.

The days before his birth were filled with anxiety. "I have been looking" (writes Dickens) "(three o'clock) with an appearance of extraordinary interest and study at *one leaf* of the 'Curiosities of Literature' ever since half past ten this morning—I have n't the heart to turn over." On 29th January, (on the arrival of better news) "I didn't stir out yesterday, but sat and thought all day; not writing a line; not so much as the cross of a t or dot of an i. I imaged forth a good deal of 'Barnaby' by keeping my mind steadily upon him, and am happy to say I have gone to work this morning in good twig, strong hope and cheerful spirits. Last night I was unutterably and impossible-to-form-an-idea-of miserable". The 7th saw the Father's birthday on which occasion he and Forster indulged "in a snug dinner in the study," though as the latter says "the troubles were not over." On the 9th Dickens writes, "thank God, quite well. I am thinking hard and have just written to Browne ("Phiz") enquiring when he will come and confer about the raven." "Grip," a raven of real life, appears in a portrait group by Daniel Maclise in 1842 of Dickens' four children of which two are Mrs. Perugini and "Wally". An earlier "Grip" had died on 12th March 1841, and his "apotheosis" is the subject of another well-known picture by the same artist; the "Grip" of the group replacing him in the family affections and the family stable.

Walter Savage Landor came from Bath to stand as god-father, and the infant, who was to have been christened "Edgar" ("a good honest name I think") was named "Walter Landor" instead—a name "of which he might

be proud^d, and by reason of its bestowal the child might be induced to do "nothing unworthy or untrue when he came to be a man." "To call him so would do his own (the father's) heart good." As to Dickens, "whatever realities (writes Forster) had gone out of the ceremony of christening, the meaning still remained in it of enabling him to form a relationship with friends he most loved."

~~It~~ It will thus be seen that the memory of Walter Savage Landor is associated with two Calcutta graves,—Rose Aylmer's (she died in 1800) being the older, and W. L. Dickens'.

"Young skull" as Walter was dubbed by his father (his cheek bones being high), when only six years of age, was "horribly maltreated," because he had averred that from Broadstairs he had seen a ship sink on the Godwins; which assertion was afterwards confirmed and proved to be true. In 1853 he was described "as a very good boy * * home from school with honourable commendation and a prize * * a great favourite with the whole house and one of the most amiable boys in the boy world. He comes out on birthdays in a blaze of shirt-pin"—a present of Landor. The most amiable boy also, it seems, once passed a Sunday in solitary confinement on a diet of bread and water in a bath-room, for "terminating a dispute with his nurse by throwing a chair in her direction." Possibly he had his own version of the affair to offer at the time, of this narrative no record remains. Later Miss Burdett Courts is informed that Walter "will be eligible to go up for his India examination soon after next Easter. Having a direct appointment he will probably be sent out soon after he has passed and so will fall into the strange life up the country before he well knows he is alive and what life is—which indeed seems to be rather an advanced state of knowledge." Forster speaks of the youth as "never forfeiting the claim to these kind paternal words—he had the goodness and simplicity of childhood to its close."

The "direct appointment," apparently secured by the influence of Miss (the Baroness) Burdett Coutts, was a military cadetship under the East India Company, leading to the recipient at 16 years of age becoming an Ensign in the 26th Native Infantry and his departure from England in July 1857.

Before his arrival in India the Sepoy Revolt had decimated the 26th, and, at 18, Walter became a Lieutenant attached to the 42nd Highlanders, the Black Watch. A somewhat unflattering portrait of him in uniform and with a sword appears in the latest (illustrated) edition of the "Life."

"Panic Sunday" had become but a blurred memory in Calcutta when the home-going young officer went into hospital there, his leave to England earned. He died in the Military Hospital, south of the maidan, of hæmatemesis (thus the medical certificate), and his funeral service was conducted by the Rev. J. Cave-Brown, Junior Chaplain of St. Paul's Cathedral. His medical attendant

was Brigade-Surgeon Major R. W. Carter M.D., a Crimean and Mutiny officer, to whom fell the duty of sending the sad news to the grief-stricken father. The Novelist received the tidings on his own birthday in 1864 and acknowledged the communication in a "long and affectionate letter."

The grave is situated about the middle of the second block to the left of the principal gateway, only one pathway coming between it and the boundary wall. The stone as I saw it lay embedded in a masonry platform and bears the following inscription from the pen of the Novelist inscribed by the orders of Dr. Carter.

In memory of
Lieut. Walter Landor Dickens
the second son of
Charles Dickens
Who died
At the Officer's Hospital, Calcutta,
On his way home on sick leave
December, 31st 1863.
Aged 23 years.

This epitaph, closing the short story of a short life, is one of the less known writings of a great master of short stories. Walter Landor Dickens died in Alipore just a week after William Makepeace Thackeray, whose infancy was passed in Alipore, expired in Kensington.

Both Dickens and Thackeray had but a superficial knowledge of the Anglo-Indian world. Both were obsessed by the conventional ideas of their day of Anglo-Indian characters. At the moment, however, I can only recall one direct reference in a Dickens' novel to Calcutta. "many a man in Mr. Pecksniff's place, if he could have dived through the floor of a pew of state and come out at Calcutta * * would have done it instantly." ('Chuzzlewit', Chap. xxxi).

A few days before my final leave taking I had visited the cemetery to look for the last time for the lost stone, and at day break on the morning before sailing the news reached me of its discovery as the direct result of my urgent enquiries. An aged Bengali had remembered seeing a number of sahibs standing round a grave in a certain part of the cemetery in the sixties. A close search by lantern light had followed and the stone lay revealed. Weeds, and debris brushed aside, the havoc of earthquake, sun and rain had yielded to the searchers, and disclosed the hidden secret of the years.

WILMOT CORFIELD.

The Secretary's Notes.

DURING the last three years—1911-1913—while the operations of the Calcutta Historical Society were in abeyance, we have lost by death the following members.

PATRONS.

Lord Avebury.
Sir Edward Baker.
H. H. Sir Nripendra Narain Bhup of Kuch Behar.
Raja Benoy Krishna Deb.
Sir Francis Maclean.
Lord Minto.

LIFE MEMBERS.

Sir A. A. Apcar.
Mr. James Luke.

ORDINARY MEMBERS.

Dr. H. E. Busteed.
Mr. Hari Nath De.
Mr. W. Irvine, I.C.S.
Mr E. W. Madge.
Mr. A. Lockhart-Smith.
Major C. J. R. Milne, I.M.S.
Mr. Durga Das Seal.
Mr. P. C. Mojumdar.
Mr. C. W. McMinn, late I.C.S.

The late Sir Francis Maclean was the first President of the Calcutta Historical Society. When the promoters of the Society approached him in 1907 with the view to making him their President, they received a very sympathetic response from him, and so long as he remained here as the Chief Justice of Bengal, he took a lively interest in its welfare. Much of the success which attended the Society in its beginning was due to his presence at its meetings. The late Mr. James Luke, the "Max" of the *Capital*, was one of the most prominent members of the Society and was associated with it from its birth. His death is a very sad loss to the Society. The late Mr. E. W. Madge was one of the founders of the Society. His extensive knowledge of Anglo-Indian history in general and his unrivalled acquaintance with the annals of his own community

in particular, were of great help to the Editor of *Bengal Past and Present* with whom he was very closely connected from the inception of the journal. His death is an irreparable loss to the Society and its journal. The late Dr. H. E. Busteed and Mr. W. Irvine took much interest in the welfare of the Society's journal and occasionally helped its editor with their contributions. The Society's journal has lost two of its most valued supporters by their death. The late Mr. P. C. Mojumdar, author of the *Musnad of Moorshidabad*, was most helpful to the members of the Society when the Moorshidabad and Plassey excursions were undertaken. In 1907 when the Society was started, the late Lord Minto was Viceroy and Governor-General of India, and his Lordship showed his sympathy with the objects of the Society by becoming one of its Patrons.

One of our Life-members, the Venerable William Holden Hutton, B. D., of St. John's College Oxford, now Archdeacon of Northampton, has been recently appointed by the University of Oxford to be Reader in Indian History in succession to the late Mr. Sidney James Owen. In his inaugural address delivered before the University on January 20th last, he has paid a great compliment to the Society and its Journal :

"The Calcutta Historical Society of which I was a member from its beginning in 1907 to its conclusion (almost immediately after I had compounded as a life-member) in 1911, printed some highly valuable papers, the result of considerable research, in seven volumes which it issued of *Bengal Past and Present*. The enthusiasm and industry of its editor, Mr. Firminger, now archdeacon of Calcutta, deserve the highest praise. It is much to be hoped that he may be able before long to revive the Society which was doing such good historical work."

I have not seen anywhere in print the earliest proceedings of the Government of Bengal with regard to the foundation of the Benares Sanskrit College the second great institution founded by the Hon'ble East India Company for the education of the people of India. As the earliest documents regarding the foundation of the Calcutta Madrasa appear elsewhere, it is becoming that the earliest proceedings of the Government regarding the great sister institution founded by Jonathan Duncan should appear simultaneously in *Bengal Past and Present*. Here they are reproduced in full :

To

No. 17.
Benares Resident dated 1st
January 1792.

EARL CORNWALLIS, K. G.
Governor-General in Council

MY LORD,—Having in view to the surplus Revenue expected to be derived from the permanent settlement (as reported in my address of the 25th November

1789) and of the instructions thereon passed by your Lordship in Council in February last to transmit for the consideration of Government my sentiments regarding its appropriation reflected frequently on the subject; it appeared to me that a part of those funds could not be applied to more general advantage or with more local propriety than by the Institution of Hindoo College or Academy for the preservation and cultivation of the Laws, Literature and Religion of that nation, at this centre of their Faith, and the common resort of all their Tribes.

Two important advantages seemed derivable from such an Establishment, the first to the British name and nation in its tendency towards endearing our Government to the native Hindoos; by our exceeding in our attention towards them and their systems, the care shewn even by their own native Princes; for although Learning has ever been cultivated at Benares, in numerous private seminaries, yet no public Institution of the kind here proposed ever appears to have existed; to which, may, in a considerable degree, be attributed the great difficulty of now collecting complete Treatises (although such as are well known to have existed) on the Hindoo Religion, Laws, Arts, or Sciences: a Defect and Loss, which the permanency of a college at Benares must be peculiarly well adapted to correct, and recover by a gradual collection and correction of the Books still to be met (though in a very dispersed and imperfect state) so as with care and attention and by the assistance and exertions of the Possessors and students to accumulate at only a small and comparative expence to Government, a precious Library of the most ancient and valuable General Learning and Tradition now perhaps existing on any part of the Globe.

The 2nd principal advantage that may be derived from this Institution will be felt in its effects more immediately by the Natives, though not without being participated in by the British subjects, who are to rule over them, by preserving and disseminating a knowledge of the Hindoo Law and proving a Nursery of future Doctors and Expounders thereof, to assist the European Judges in the due, regular, and uniform administration of its genuine Letter and spirit to the body of the people.

These and other similar considerations rendered me desirous of proceeding immediately after the receipt of the Board's orders of February 1790 to take measures preparatory to the intended Institution in the confidence that I had every prospect of obtaining the Sanction of Government to a measure that appeared not unworthy of the patronage of a liberal and distinguishing administration, but as owing probably to the general state of war in which India has been of late involved, the contingent parts of the Revenue of Benares (viz. the Customs) were likely to fall considerably short during 1798 Fussily of what they had amounted to in the year preceeding, I was deterred from an apprehension of a deficiency of funds at the end of the year, to pay up the

Company's full Jumma from entering for that season on the proposed Establishment and did therefore determine to defer it till the beginning of the current year; when (even allowing for an equal Defalcation in the Custom House collections) from the improving state of Land Revenue according to the annual increase on the few first years of the permanent settlement the amount of which had during the first two of those years of trial been realized, the surplus at the close of 1199 or September 1792, must, I concluded, be more than sufficient to defray any possible expence of this new Establishment.

Having thus long postponed the execution of the proposed plan I had taken measures for beginning it with certainty from the commencement of the Fussily year 1199 or September last, when I was again rendered doubtful from the season having then decidedly turned out so unfavourable, by reason of the Draught, that we were supposed to be in danger of all the consequences of extreme dearth, and even of famine attended perhaps by a heavy loss in the Land Revenue.

These circumstances had well nigh induced me (though reluctantly) altogether to give up the Design; but as the intention had become known ~~had the~~ Professors collected I was on further reflection unwilling to postpone and thereby perhaps altogether to risk a permanent advantage, for a temporary difficulty; so that confiding in that justice and liberality, which I have hitherto so uniformly experienced from the present administration I have ventured to institute and open this academical Institution for which I now beg leave very earnestly to solicit the sanction, support and approbation of Government.

From the enclosed extract of my proceedings, it will be seen that I have limited the expence for the present year to about 14000 Rupees; though to ~~plate~~ the institution on a proper footing so as to admit of a sufficient number of students and of the acquisition of a Library, twenty thousand ought I think to be at the least assigned for it, and accordingly there are contained in the accompanying extract two schemes of the Establishment, one on the supposition of the present circumscribed, the other on that of the larger plan last suggested.

As to the funds for defraying this expence, although they may this year be scanty; yet I trust the Board's experience of the more than sufficient general funds of this district for all public or reasonable purposes, will leave no doubt, but that in every common year a much larger amount than twenty thousand Rupees must remain a surplus after paying the Company's Revenue and all charges of collection, including those of the two Moolky adawluts; though were these proposed charges for the college even to be deducted and paid out of the Hon'ble Company's present rental from the Zemindary I cannot (judging from their known liberality in the just and honorable cause of the

advancement of science) doubt that under the recommendation of Government, the Court of Director's sanction would be obtained for the expenditure; for which if any other compensation were required than the good consequences of the Institution I could perhaps point out funds equal thereto; as for instance, the present income from the Mint, which, till of late years, the Hon'ble Company neither claimed nor benefited by, not to mention, the advantages which were last year made from the Discounting of the Bills drawn on this Treasury and the interest on the surplus money lying on it by which alone the Company have in less than twelve months received and may in future (if permitted by Government) realize more than would defray the expence of the college.

The Extract of my Proceedings already referred to contain the few rules which have already been thought of for this Institution, and they are respectfully submitted to Government for such correction or addition as may be thought expedient.

I remain with the greatest respect, &c.,

(Sd.) JONATHAN DUNCAN,

Resident.

BENARES,

The 1st January, 1792.

No. 18 Enclosure.

Extract from the Proceedings of the Resident at Benares dated the 1st December 1791.

The Resident having for sometime past had contemplation to effect under the auspices and approbation of Government the establishment at Benares of a College for the cultivation of the Laws, Literature and (as inseparably connected with the two former) the Religion, of the Hindoos, he has in pursuance of this design (which will be in due time reported to Government) chosen a certain number of professors in the principal Hindoo Sciences; and a house having been hired for their reception they met for the first time on the 28th October last, and the Resident made his first visit to the College on the 17th of November, from the beginning of which month it is meant that their establishment shall be considered as having taken place and to be defrayed.

The first idea as to the Establishment and allowances necessary to be fixed for the carrying into effect the purposes of this Institution, was that they must be at least equal to 20,000 Rupees per annum, but for the present it has been thought best till the approbation of Government be obtained, to limit it to within 14,000 Rupees by the year at the utmost; but as it seems probable that this scale of expence may sooner or later be extended, the two Estimates hereafter recorded are therefore rendered applicable to that expectation as well as to the present actual expence and establishment, which is preceded by a short analysis of Hindoo Literature pointing out the several branches of

Science which it will be the object of the Teachers of this Seminary to cultivate, preserve and in time perhaps to improve.

THE ANALYSIS OF LITERATURE FROM THE AGNI PURANA :—EIGHTEEN VIDYAS

Vedas	...	Rigveda	...	3	} Theology &c.
		Yajurveda	...		
		Samaveda	...		
		Atharvaveda	...		
Upavedas	...	Ayurveda	...		Medicine, Botany &c.
		Gandharva Veda, <i>i.e.</i> ,			Musick &c.
		Dhanurveda	...		(Arms)
		Arthaveda	...		Mechanick arts
Vedangas	...	Sicsba	...		9 Ortheopy
		Vyacarana	...		Grammar
		(Ch'handas)	...		Prosody
		(Niructe)	...		12 Sacred Lexicography
		(Calpa)	...		Ritual
		Jyotish	...		Mathematicks
Darsana,	...	Mimansa &c.	...		15 Metaphysicks &c.
		Nyaya &c.	...		Logick &c.
Dherma	...	Smriti	...		Laws
		Puranas &c.	...		18 History Ethicks &c.

Reduced to Nine Vidyas of which there should be Adhyapocas or Lecturers.

Veda—(chiefly the Upanishads) Theology

Ayurveda—Medicine and Natural History

3 Gandharvaveda—Theory of Musick, Lyrick and Drammatick

Vyacaran—Grammar and Prosody and Cavyas

Jyotish—Astronomy, Geography and Pure Mathematicks

6 Mimansa &c.—Vedanta (*a*) Philosophy, Metaphysicks

Nyaya—(*b*) Logic and Philosophy

Dherma Sastra—Law Civil and Spiritual

9 Purana—History, Ethicks, Heroick Poetry &c.

FIRST SUPPOSITION :—20,000BS. RS. A YEAR.

Note—the chief Pundit or Mahopadhyaya should teach Theology and have a double allowance.

Allowance.	Per mensem.	Per annum.
Chief 2	... 300	... 3,600
Others 10	... 150 each	... 1,800 each.

(*a*) According to Vyasa &c.

(*b*) According to Gotama &c.

The Senior student or Reader of the *Veda* may also have a double allowance and give lessons to the younger scholars.

	Per mensem.	Per annum.
Senior 2	... 30	... 360
Other 10	... 15 each	... 180
Total expence.		

Per mensem.	Per annum.
Bs. Rs. 1650	... 19,800

The remainder (200) Rupees to be kept to buy Books for the College Library &c., &c.

SECOND SUPPOSITION :—14,066 Bs. Rs. A YEAR.

TEACHERS.			
Per mensem.			Per annum.
Chiefs 2	... 200	...	2,400
Others 8	... 100 each	...	1,200

STUDENTS.			
Senior 2	... 20	...	240
Others 8	... 10	...	120

TOTAL EXPENCE.			
Per mensem.			Per annum.
Bs. Rs. 1,100	...	...	13,200

The remainder (800) Rupees to buy books and augment the numbers of studentships.

PROPOSED RULES FOR THE COLLEGE.

1. The Governor in Council to be Visitor, and the Resident, his Deputy.
2. The stipends to be paid by the hands of the Resident ; but the Pundits to have no concern with the collection of the Revenue.
3. The nine scholars (or eighteen if so many can be supported) to be taught gratis ; but no others except a certain number of such poor boys whose parents or kinsmen cannot pay for instruction, all other scholars should pay heir respective Teachers, as usual.
4. The Teachers and students to hold their places during the pleasure of the Visitor.
5. Complaints to be first made to the Resident with a power of appealing to the Visitor for his decisions.
6. The professor of medicine must be a Vaidya and so may the Teacher of Grammar, but as he could not teach Panini it would be better that all except the Physician should be Brahmins.
7. The Brahmin Teachers to have a preference over strangers in succeeding to the Headship and the students in succeeding to Professorships, if they all on examination be found qualified.

8. The scholars to be examined four times a year in the presence of the Resident in all such parts of knowledge as are not held too sacred to be discussed in the presence of any but Brahmins.

9. Each Professor to compose annually to lecture for the use of his students, on his respective Science; and copies of such Lectures as may legally be divulged to be delivered to the Resident.

10. Examinations of the students in the more secret branches of learning to be made four times a year by a Committee of Brahmins nominated by the Resident.

11. The plan of a course of study in each Science to be prepared by the several professors.

12. The students to be sometimes employed in transcribing or correcting Books for the use of the College, so as to form in time a perfect library.

13. The discipline of the College to be conformable in all respects to the Dharma Sastra in the chapter on education. The second book of Menu contains the whole system of discipline.

N. B.—The Resident had in regard to the above analyses and proposed Rules, the able assistance of a private friend.

The following is the translation of the 1st Bill presented for the Establishment aforesaid.

State of the Bill for the 1st month of Hindoo College or for November 1791

The Principal or Director of the College, Ser Shaster Gooroo

Tarcalunkar and Cashinaut Pundit, Inder Bedea

Behader at per month 200 0 0

1st. For the following 8 Professors,

1 Beresher Shesk, Professor or Teacher of the larger

Biakurn or that of Paniani and of the Bashia of the

Reg Bede 100 0 0

2nd. Ram Chander Tara, professor or Teacher of Vede and

Vedante 100 0 0

3rd. Rampersaud Turkpunchanan, Professor of the Nyay

Shaster 100 0 0

4. Soobha Sastri, professor of the Meemangsa ... 100 0 0

5. Gosayne Anund Ghun, Professor of the Pooran and

Cubbe Shasters 100 0 0

6. Luchmy put Jowshee, Professor of the Jatish Shaster ... 80 0 0

7. Gunganarin Bhutt, Professor of the Boyd Shaster ... 80 0 0

Rs. ... 860 0 0

8. Shamanund Bhattacharji son of Cashenauth Professor

or Teacher of the Dherm Shaster 100 0 0

TOTAL RS. ... 960 0 0

Secondly For the following 9 Seshi or students,

1. Ram Canny of Bengal	...	...	...	15	0	0
2. Munco Jowshee of Guzerat	...	...	...	10	0	0
3. Iyram Bhutt Marhatta	...	...	...	15	0	0
4. Cashinauth Sedhant Bagees	...	...	...	10	0	0
5. Doorga Churn of Konowja	...	...	...	10	0	0
6. Gobind Narain of Gour	...	...	...	10	0	0
7. Hurdoo Jowshee	...	...	...	8	0	0
8. Munorut Tewary	...	...	...	8	0	0
9. Gowree Pershaud	...	...	...	10	0	0

TOTAL FOR STUDENTS RS. ... 96 0 0

Thirdly for Establishment of officers or Servants

1st. Schesram Bermcharry for keeping the books, &c.	...	...	...	10	0	0
2nd. Nuncoolaul Koyal as a writer	...	...	...	10	0	0
3rd. Peons	...	...	...	14	0	0
4th. Fraush	...	...	...	6	0	0
5th. Brahmin to serve water 4	...	...	...	44	0	0
4th. House rent @ 30/- per month	...	...	...	30	0	0
5th. Paper Ink, etc.	...	...	...	8	0	0

TOTAL PER MONTH ...1,138 0 0

The above is to be paid on account from the Treasury, subject of course to the subsequent sanction of Government.*

A True Extract.

(Sd.) JONATHAN DUNCAN,
Resident.

Agreed that the following letter be written to the Resident at Benares.

TO

No. 19
To the Resident of Benares.

J. DUNCAN, ESQRE.
Resident at Benares

SIR,—We have received your letter of the 1st instant with its enclosure. We entirely approve of the plan of the Hindoo College which you have established from the commencement of 1199 Fussly and concur in your sentiments respecting the public benefit that may be expected to result from it; you will limit the expence of the Establishment for the current year to Sixty Rupees 14,000 and in the event of the surpius collection not proving adequate to the payment of the amount you have our sanction to issue the

* The spelling of the original has been kept in tact to draw attention of our readers to the "Sir Roger Douler" sort of transliteration prevalent in those days.

deficiency from your Treasury. If in consequence of the unfavourableness of the past season there should be no surplus collections you will charge the whole expence to the account of Government. From the commencement of the Fussily year 1200, we authorize you to increase the establishment to Sicca Rupees 20,000 per annum, provided upon the arrival of that period you shall be of opinion (of which you will advice us) that the surplus collections will be adequate to the payment of the amount, otherwise you will restrict the expence to the sum authorized to be disbursed in the current year.

FORT WILLIAM,
The 13th January, 1792. }

WE ARE &c.

I have acquired after much trouble and expense all the literary remains of that great Bengalee publicist and writer, Dr. Sambhu Chandra Mookerjee, whose biography my esteemed friend, Mr. F. H. Skrine of the Indian Civil Service, published in 1897. His powerful writings as editor of the well-known newspaper, *Reis and Rayyet*, which he founded and conducted with singular ability from 1882 to 1894 when he died, brought him during the last decade of his life into the closest intimacy with such Viceroys as Lords Dufferin and Lansdowne, and Lieutenant-Governors as Sir Auckland Colvin, Sir Steuart Bayley, and Sir Charles Elliott, who corresponded with him on the burning political questions of the day with perfect freedom. Among his papers now in my possession, twenty years after his death, I find several such letters, some of which are of too confidential a nature to be published. But his note-books and diaries are of immense value to the present generation. His highly accomplished mind bred up in sumptuous surroundings and with aristocratic tastes find their fullest play in these "leisure-hour" writings, and nowhere does he display more fully his own subtle humour and power of quaint antithesis and apposite quotation than in his note-books and diaries. Occasionally I hope to publish in this place quotations from Dr. Sambhu Chandra Mookerjee's note-books. Here is one:—

When was Sirajuddaula born? He is represented to have been but a boy when he came to the throne. His excesses are palliated by his age. Stewart on the authority of his native chroniclers says that Aliverdikhan who had adopted him, designing him for his succession, placed his grandson by his side on the *Masnud* as his successor in 1753 when the boy was only fifteen years old (*History of Bengal*, quoted by Hunter in *Statistical Account*).

of Bengal, LX, 185-86). 'It is stated, however, in Mr. Long's *Records*, of the date August 1752, that the Nawab Sirajuddaula, whom Aliverdikhan had appointed to be his successor, was arrived at Hughli' (Hunter) at the invitation of the Dutch and the French and that the English President and Council waited upon him with presents. The suggestion is that they could hardly have waited upon a stripling of fifteen. This, however, is not an unanswerable argument. It is matter of history that the infant son of Zeinuddin Hossein Khan was invested with a high *mansab* and loaded with titles, not the least of which was the name by which he is known to fame—Sirajuddaula. Aliverdi has trained him from his infancy to be a ruler.

If Stewart be right, the Europeans paid court to a boy of fourteen.

If Sirajuddaula was barely fifteen in 1753, he must have been born in 1739.

There is no where that I see or remember any distinct date of his birth given. From a statement in Gholam Hossein the time may be approximately calculated.

In relating Aliverdi Khan's appointment to the Deputy Government of Behar, the *Siyar* says—'History ought to remark that a few days before this elevation, a grandson was born to Aliverdiquan from his youngest daughter (247), married to his youngest nephew, Zineddin-Ahmedd quan, and as he had no son of his own, he called him Mirza Mahmud, after his own name, adopted him for his son, and had him educated in his own house. He ascribed to his auspicious birth, that sudden flow of honors, dignities, and favors; and on that account redoubled his affection for him.' Mustapha—I, 306. (247) His youngest daughter was Annabegum, who became famous in Moorshidabad, after her husband's death by her amours and gallantry. This Mirza-Mahmud is the same as Badshah Coolyqhan, *alias* Siradj-eddowlah etc.'—note by translator.

So then Sirajuddaula was born a few days before Aliverdi Khan's appointment to Behar. When did that appointment happen? Shyamudhan Mookerjee, author of a short history of Moorshidabad, gives 1729 as the year of Aliverdi's appointment. Where he got the date he does not say. The same date is given in the useful and interesting compilation, *Historical and Ecclesiastical Sketches of Bengal*, Calcutta 1829. 'Admitted a favourite, he (aji Ahmed) lifted his brother from one step to another, till, in the year 1729, he obtained for him the Nabobship of Patna, where Ally Verdi Khan soon made himself very powerful; for part by policy etc.'—*H. and E. Sketches*, p. 89. From the style I presume the passage to be from Ome.

Stewart gives the Hijri 1143, which according to him was 1729-30 of the Christian Era, as the year in which Fakheradowla was removed from the Government of Behar, 'and through the influence of Khan Dawan, the

Paymaster General, the Government of that province was again annexed to Bengal; and Sujaa Addeen Khan was, in consequence, ordered to appoint his own deputy to that important situation.' 4to Ed. p. 420.

Taking the removal of Fakheradowala to have taken place in 1729-30, it is probable that some months elapsed before the Court of Delhi decided upon annexing the office to Bengal or conferring it upon Sujaaddeen Khan, and the latter appointed Aliverdi, particularly as there were disputes in his family on the subject. It was not I believe before 1730 that the appointment was made.

[20th July 1879] Nothing like history at first hand. After all it would seem that Stewart makes no such statement as has been quoted from him by Hunter (see three pages back in this note-book). He distinctly says that 'Serajuddaula was born at the period that Ali Verdi was appointed to the Government of Behar' etc., p. 495 (4to Ed.) 'This young man in the year of the Hijira 1167 (1753) Ali Verdi Khan declared to be his successor: he seated him on the musnud, and having made him the customary offerings and gratulations, obliged all the courtiers and officers to do the same; and from that time suffered him to interfere in the Government of the province and to make a very bad use of his authority.' Stewart, 4to Ed. London p. 495.

From the above historical fragment of some interest on which our Mahomedan friends may throw much light from their researches in original Persian histories of India and particularly those of Bengal, it appears that the original name of Sirajuddaula was Mirza Mahmud. There is, however, a lapse in this matter in Dr. H. E. Busteed's *Echoes from Old Calcutta*—edition of 1908—as he makes this name Murza Muhammed. The name is correctly given in T. W. Beale's *An Oriental Biographical Dictionary* London, 1894, p. 386.

Here is another interesting historical fragment from Dr. Mookerjee's note-book :—According to the *Tarekh Mansuri*, itself founded on, among others, the *Tarekh-i-Belgrami*, Serferaj Khan had offended his ministers and grandees by showing extraordinary favours to Syad Diler Ali of Belgram, raising him and on one occasion presenting him with three elephants and sixteen horses, without doing anything for his three ministers whereby not only were they dissatisfied, but all his servants had had their hopes blasted. Haji Ahmad (brother of Aliverdi Khan) had his own grudge in special in that Serferaj had, against all decency, set his heart upon marrying Farkhand Begum, daughter of Ataullah Khan and Rabia Begum (the Haji's daughter) to his (Sarferaj's) own son, after she had been betrothed (akta kham-ed) to Sirajuddaula.



COLONEL THOMAS DEANE FEARNSE

From a photograph kindly supplied by

COLONEL HUGH PEARSE D.S.O.

and

A portrait in the Royal Artillery Museum, Woolwich.

(by kind permission of the Officer, R. A. Woolwich.)

Photo. by Ewart Millar Esq. Rephotographed by Messrs. Harrington and Ploou.

Jagat Seth had a more grievous grudge. Serferaj had forcibly had brought Jagat Seth's son's bride to the palace to satisfy his curiosity of her surpassing beauty (see the Seth family version in Hunter's Moorshidabad, *Statistical Bengal*). For a banker Jagat Seth's more serious grievance may have been the fact learnt by Ananda Babu* from Syad Kājim Ali. It is this. After his accession Serferaj showed Jagat a *tip* (which he used to wear on his arm) which purported to be a receipt given by Jagat Seth to Moorshid Kuli Khan for a fabulous sum (being the money and effects deposited with the banker) after having enquired the Bazaar *miti* of the day, the ruling rate of interest (was it not rather the rate of exchange that was meant by this enquiry about *miti*?) and asked him what might be the interest on the sum? The answer was—*Eska miti men jan o mal Huzurko tassaddok hayn*.† Jagat Seth must have been continually in alarm while such a document remained in the Nawab's hands—See Gholam Hossein.

The following volumes have recently been published by the Government of Bengal and are procurable through Messrs. Thacker, Spink & Co.

<i>Midnapur District Records, 1760—</i>	...	...	Price Rs. 3
<i>Rangpur District Records, 1770—79</i>	...	...	" " 3
<i>Proceedings of the Select Committee at Fort William,</i>			
1758	...	...	" " 1

The above mentioned volumes are edited by the Venerable Archdeacon of Calcutta (W. K. Firminger, B.D.)

An impression from a half-tone block reproduction of a portrait of Colonel T. D. Pearse will be found in the present number. As a memoir of the "Founder of the Bengal Artillery" appeared in several successive numbers of *Bengal Past and Present* it is unnecessary in this place to do more than express our gratitude to Colonel Hugh Pearse for securing for us a photograph of the original portrait, which belongs to the Royal Artillery Mess at Woolwich.

26, SHAMPUKER STREET,
Calcutta, 26th March 1914.

}

S. C. SANIAL.

* A friend of Dr. Mookerjee of the period when he was minister to the last Nawab Nazim of Bengal, Behar and Orissa, His Highness Mansur Ali, Faridun Jah.

† In lieu of interest, my life and property I sacrifice for you.

Calcutta Historical Society.

PROCEEDINGS OF MEETINGS.

PROCEEDINGS of the General meeting of the Calcutta Historical Society held on March 6, 1914 at 6 P.M. at the hall of the Asiatic Society of Bengal, Park Street, Calcutta.

Present :

The Hon'ble Sir Lawrence Jenkins, KT. K. C. I. E., *in the Chair.*

Sir Rajendra Nath Mookerjee, KT.

The Hon'ble Mr. Justice Sir H. L. Stephen.

The Venerable Archdeacon of Calcutta (W. K. Firminger, B. D.)

The Hon'ble Dr. Devaprasad Sarvadhikari, M.A., B.L., LL. D.

The Hon'ble Rai Preonath Mookerjee, Bahadur.

Mr. F. H. Stewart, *Sheriff.*

Lt. Col. W. J. Buchanan, I. M. S.

Mr. R. D. Mehta, C. I. E.

„ J. Hart.

„ J. Nahapiet.

„ M. Ghosh, M.A.

„ W. C. Beaumont.

„ A. A. Browne.

„ G. O'Connell.

„ F. Harrington.

„ W. H. Phelps.

„ G. B. McNair.

„ F. C. Scallan.

The Rev. J. Watt.

The Rev. Father H. Hosten, S. J.

Rai B. A. Gupte, Bahadur.

Mrs. R. Stewart.

Mr. S. C. Sanial.

Proceedings commenced with the reading out by the Secretary, Mr. S. C. Sanial, of the following minutes of the proceedings and resolution of the Council on the 27th June, 1911, and 19th February, 1912.

Minutes of a meeting of the Council of the Calcutta Historical Society held in the Hall of the Asiatic Society of Bengal on Tuesday the 27th June 1911 at 6-15 P.M.

Present :

The Hon'ble Sir Lawrence Jenkins, *in the Chair*.

The Hon'ble Mr. Justice Fletcher.

" " " " Holmwood.

" " " " Stephen.

Lt : Col : J. Lloyd-Jones, I. M. S.

Mr. E. W. Madge.

The Hon'ble Mr. W. C. Madge.

Mr. W. H. Phelps.

Mr. J. C. Mitchell.

1. The minutes of the last meeting of the Council, held on Monday, the 1st of May were read and confirmed.
2. At the request of the Chairman, the Hon'ble Mr. Justice Stephen explained to the meeting the terms on which the Asiatic Society Sub-Committee (appointed to look into this subject) thought it possible that their Society would take us over. Namely that our assets would be taken, at a valuation, towards part of the entrance fee of those members of the Calcutta Historical Society wishing to be taken over, and that the balance (probably about Rs. 16) would have to be paid by each member, being so taken over.
3. After some discussion it was decided the above proposition be put before a general meeting to be called for the 17th of July.
4. It was proposed by the Hon'ble Mr. Justice Holmwood and seconded by the Hon'ble Mr. W. C. Madge that the membership of the Society be thoroughly revised and that all those in arrears with their subscriptions, should be struck off.

We, the undersigned office bearers of the Calcutta Historical Society deeming it impracticable in the present circumstances to carry on the business of the Society, but believing it inexpedient—in view of a possible reorganisation—that the Society should be dissolved, desire to resign our several offices as from the 1st March next, and agree.

1. That, pending such reconstitution of the Society, as may eventually be determined upon the Hon'ble Mr. Justice Stephen do hold the assets of the Society ; and

2. That the above resolution be recorded in the Council meeting book and circulated by the present Honorary Secretary to the members of the Society's Council.

(Sd.) L. JENKINS—*President.*

19th February, 1912.

„ H. L. STEPHEN,—*Vice-President.*

„ A. W. WATSON,—*Honorary Secretary.*

„ J. C. MITCHELL,— „ *Treasurer.*

The President called upon the Venerable Archdeacon to address the meeting.

The Venerable Archdeacon, W. K. Firminger, in responding said there were reasons for believing that if the Historical Society were revived it would prosper. He was inclined to the view expressed by the Hon'ble Mr. Justice Stephen at one of their committee meetings that if a society was founded and it did good work for four or five years, it was justified by its good work. If the society made a new start, with the experience gained in the past, it should have a long, useful and continuous future before it. They would remember that in the old days the majority of the members did not live in Calcutta, and as they were mostly residents up-country, they did not derive much benefit from such activities of the Society as the expeditions, etc. But for the journal of the society there would not have been much inducement for them to join it. This was one of the things they would have to remember in the future, and if they wished to retain their up-country members, they must not grudge the expenditure of a large amount of their funds on their journal. Despite the fact that a great deal of the subscriptions had not been collected at the time, the society went into abeyance, it yet had Rs. 500 to its credit. If the Society in 1911 had collected these subscriptions and realised a small profit on the journal he thought they would have at the end of that year had a very considerable credit balance, so that there was, he thought, nothing in their position which would lead to anticipate any financial difficulties. The Committee formed to consider the question of the revival of the society held that the best thing they could do was to get a guarantee fund and start with the production of a new number of *Bengal Past and Present*. That was done, and the sum of Rs. 700 was guaranteed to meet any possible loss in the production of the April number. With this assurance they set to work, and the new number of *Bengal, Past and Present* could be expected within the next three weeks. It would not be such a large number as several they had issued in the past, but nevertheless it would contain about 150 pages with illustrations, and within these limits they could give four numbers every year. With the care exercised the cost had been lessened but when they had

the next issue in their hands they would see that this would not result in any serious loss in either the get-up or the matter of the journal.

Mr. W. H. Phelps here asked the speaker to explain the relations of this society with the Asiatic Society of Bengal.

The Venerable Archdeacon explained that they not been taken over by the Asiatic Society as was proposed, owing, he thought, to the difference in subscription: the two societies had not been amalgamated.

Continuing, he said that the legal position was that the Historical Society was merely in abeyance and all that they had to do to revive it was to appoint officers, which it was proposed to do at that meeting.

In referring to the former proposal to have a board of editors for the journal he observed that among those who were appointed on the board was Dr. Dennison Ross, who as they knew had left India permanently. Another of them Mr. H. G. Graves was also about to go Home on furlough, and the Rev. Father H. Hosten found that his duties would prevent him from being a member of the Editorial Committee. Ultimately he found himself left alone. The Committee had, however, given him a most competent assistant editor in Mr. S. C. Sanial. It was an excellent plan to have a committee of five editors, but to do that they would have to alter one of their rules. In conclusion he suggested that if they altered their rules, the subscriptions might be slightly reduced in view of the fact that their journal was sold at the bookstalls at Rs. 5 per number. They should offer inducements to regular purchasers to obtain the journal by becoming members of the society. He moved that the following proceedings of the informal committees which met in December, 1913, and January, 1914, be accepted as acts of this council.

Mr. F. H. Stewart suggested that on revival it should be formed into an All-India Society, which would, he thought, be a practical basis and ensure continuity of existence.

The President pointed out that this suggestion had been considered by the Committee who were of opinion that it was not practicable. But there was no reason why it should not be reconsidered.

The Rev. Father Hosten was of opinion that the present Society had a big field to develop which he thought would still be undeveloped when many of them would be dead and gone. "Our opinion was that our Review should specialize, so that it be understood among scholars that any information required about *Bengal Past and Present* is likely to turn up in the pages of our Review. Bengal is, or was, so large, and it has so long and many-sided a past behind it, that many years must yet elapse before we can expect to have exhausted its history. Only then might there be question of broadening out the scope of our activities, or rather, the Calcutta Historical Society, having then accomplished its purpose, might then go into abeyance for a well-merited

holiday, since there are in existence All-India Historical Reviews, such as the *Indian Antiquary*, and the *Journal of the Asiatic Society of Bengal*, and it would be ungracious on our part to substitute ourselves to such time-honoured institutions. Of late years, several Societies have come into existence, like the Punjab Historical Society (Lahore) and the Mythic Society of Bangalore, each of them specializing for a portion of India. Such specializing and division of labour should be encouraged. It awakens local talents and groups them round their natural centre. It would be a pity if we were to encroach on ~~their~~ field, or they on ours. Besides, how could we think of amalgamating such Societies and our own into an All-India Historical Society, when we are at this moment simply struggling to re-affirm our existence as an individual unit in the historical movement? Let us specialize, too; we have about one-fifth of India proper to specialize in. Our membership was, and will be again, larger than that of our sister societies of Lahore and Bangalore. If they can live, how could not we? We ought to be able to command at least as much support and local talent as they."

CONSTITUTION.

On the motion of the Hon'ble Mr. Justice H. L. Stephen, seconded by the Hon'ble Rai Preo Nath Mookerjee Bahadur the following persons were constituted the Council of the Society for the current year with power to add to their number :—The Hon. Sir Lawrence Jenkins, the Hon. Maharajadhiraj of Burdwan, the Hon. Mr. Justice Stephen, Sir Rajendra Nath Mookerjee, the Hon. Sir Asutosh Mookerjee, the Hon. Mr. Justice Fletcher, the Ven. Archdeacon W. K. Firminger, the Hon. Mr. J. G. Cumming, Mr. John Davenport, Mr. L. G. Dunbar, the Hon'ble Mr. Justice Holmwood, Mr. G. B. McNair, Mr. R. D. Mehta, Mr. W. H. Phelps, Mr. E. W. S. Russell, Mr. G. P. Shelton, Mr. H. A. Stark, the Hon. Mr. W. W. Hornell, Mr. J. B. Crichton, Mr. W. C. Beaumont, Dr. W. Kennedy, Sir E. W. Robinson, Mr. A. F. C. de Cosson, Mr. H. G. Graves, Mr. J. C. Mitchell, the Rev. Father H. Hosten, S. J., Mr. F. H. Stewart, Sheriff of Calcutta, Maharaja Sir Prodyat Kumar Tagore and the Hon. Dr. D. P. Sarbadhikari.

On the motion of Mr. R. D. Mehta, seconded by Mr. W. C. Beaumont the following gentlemen were constituted the Executive Committee of the Society for the current year with power to add to their number :—The Hon. Mr. Justice H. L. Stephen, the Hon. Mr. Justice Holmwood, Lt.-Col. W. J. Buchanan, I. M. S., the Hon. Rai P. N. Mookerjee Bahadur, Sir Rajendra Nath Mookerjee, Mr. R. D. Mehta, Mr. W. H. Phelps, the Hon. Mr. Justice Chowdhuri, Mr. H. G. Graves, Mahomed, the Ven. Archdeacon W. K. Firminger, Mr. John Davenport, Mr. F. H. Stewart, the Hon. Secretary, and the Hon. Treasurer.

On the motion of Lt.-Col : W. J. Buchanan, seconded by the Rev. Father H. Hosten, S. J., Messrs. S. C. Sanial and J. C. Mitchell were re-appointed Honorary Secretary and Treasurer.

The President regretted that he would have to adhere to his intention of resigning the Presidentship. He thought that some one with more energy should take his place and proposed, and the Hon'ble Mr. Justice H. L. Stephen seconded, that the Venerable Archdeacon be elected President of the Society.

The motion was carried by acclamation.

Mr. R. D. Mehta, proposed a vote of thanks to the chair with which the proceedings terminated.

Proceedings of the first informal meeting held on the 5th December 1913, at 6-30 P.M., at the St. John's Church to discuss the proposed revival of the Calcutta Historical Society.

Present :

The Hon'ble Sir Lawrence Jenkins *in the chair*.

„ „ Mr. Justice H. L. Stephen.

„ „ Rai Preonath Mookerjee Bahadur.

The Venerable Archdeacon of Calcutta.

Dr. E. Denison Ross.

Lt.-Col. W. J. Buchanan.

The Rev. Father H. Hosten, S. J.

Mr. H. G. Graves.

Mr. J. Davenport.

Mr. S. C. Sanial.

1. The Hon'ble Rai Preonath Mookerjee Bahadur moved and Lt.-Col. W. J. Buchanan seconded that it is desirable that the Calcutta Historical Society should resume its work.
2. The President moved an amendment to the first resolution to the effect that before the question of reviving the Calcutta Historical Society be put before a general meeting, a small committee consisting of the Hon'ble Mr. Justice H. L. Stephen, the Venerable Archdeacon W. K. Firminger, Dr. E. Denison Ross, Mr. H. G. Graves and the Rev. Father H. Hosten, S. J., do meet at an early date to formulate a scheme for the future work of the Calcutta Historical Society with special reference to its financial position, and to submit their report to the members of this informal meeting who would meet here again to take it into consideration as soon as it is received. This was seconded by Mr. H. G. Graves and passed.

Proceedings of the small Committee appointed to formulate a scheme for the future work of the Calcutta Historical Society and its Journal held at St John's House, on December 17th, 1913 at 6-30 P.M.

Present :

The Ven'ble Archdeacon of Calcutta

Mr. H. G. Graves

The Rev. Father Hosten, S. J.

1. The Archdeacon submitted an apology for unavoidable absence from the Hon'ble Mr. Justice Stephen.

2. The Committee took into consideration an offer made by Messrs T. S. Banerji & Co. to assist in the publication of the Society's Journal, but as it was a *sine qua non* in this offer that the scope of the Journal should be made to include all India, the Committee were unable to recommend its adoption.

3. The Committee recommended that a Guarantee Fund be raised to cover any possible losses on the trial issue of a number of *Bengal Past and Present*, the old *format* to be adopted, but the size of the number limited to about 150-160 pages.

4. The Committee recommended that the Archdeacon do get together this trial number as soon as possible and incorporate as much as possible of the literary matter still in hand. That for further issues an Editorial Committee of three be appointed with a Sub-Editor salaried or honorary. It was agreed that the "Leaves from the Editor's note book," under some other heading, be left in the hands of a single person, but that all other contributions should be circulated among the members of the Editorial Committee and inserted only with their approval. This arrangement was proposed, not as implying any disapproval of the Editor's work in the past, but in order to ensure continuity of work, should the presence of any one prominent member of the Society be withdrawn.

5. Several publications of learned Societies were laid on the table as possible models for adoption. It was, however, felt that the larger blue issues of *Bengal Past and Present* had won a certain amount of popularity, and the criticism a change might give rise to would perhaps be dangerous at the moment of a fresh start. It was essential to lay before the public a number calculated to secure annual subscriptions.

6. Father Hosten submitted a list of subjects calling for research.

7. Mr. H. G. Graves informed the meeting that he and Lt. Col. W. J. Buchanan would be glad to contribute Rs. 150 towards the guarantee fund of the trial number of *Bengal Past and Present*. The Venerable Archdeacon W. K. Firminger B. D. also agreed to contribute Rs. 50 towards the same.

ings of the Second Informal Meeting held at St. John's Vestry on
 17th July 1914 at 6-30 P. M.

Present :

Sir Rajendra Nath Mookerjee, Kt., *in the chair.*

The Hon'ble Mr. Justice H. L. Stephen.

The Venerable Archdeacon of Calcutta.

Dr. E. Denison Ross.

Mr. J. C. Mitchell.

„ S. C. Sanial.

Venerable Archdeacon read out the Proceedings of the Committee
 formulate a scheme for the future work of the Calcutta Historical
 Society and moved that it be passed. Mr. J. C. Mitchell seconded it, and it
 was carried. The Venerable Archdeacon W. K. Firminger, B. D., Dr. E.
 the Rev. Father H. Hosten, S. J. and Mr. H. G. Graves do constitute
 the Editorial Committee. Dr. E. Denison Ross proposed and the Venerable
 Archdeacon seconded that Mr. S. C. Sanial be appointed Assistant Editor.
 Carried.

Hon'ble Mr. Justice H. L. Stephen moved and Dr. E. Denison
 seconded that Mr. S. C. Sanial be appointed Honorary Secretary pending
 the next meeting. This was agreed.

Venerable Archdeacon W. K. Firminger moved, and it was agreed
 that Mr. J. C. Mitchell be appointed Honorary Treasurer pending a general

meeting. Sir Rajendra Nath Mookerjee, and Mr. J. C. Mitchell informed the
 Society that they would be glad to contribute Rs. 100/- and Rs. 50/- respec-
 tively to the guarantee fund of the trial number of *Bengal Past and*

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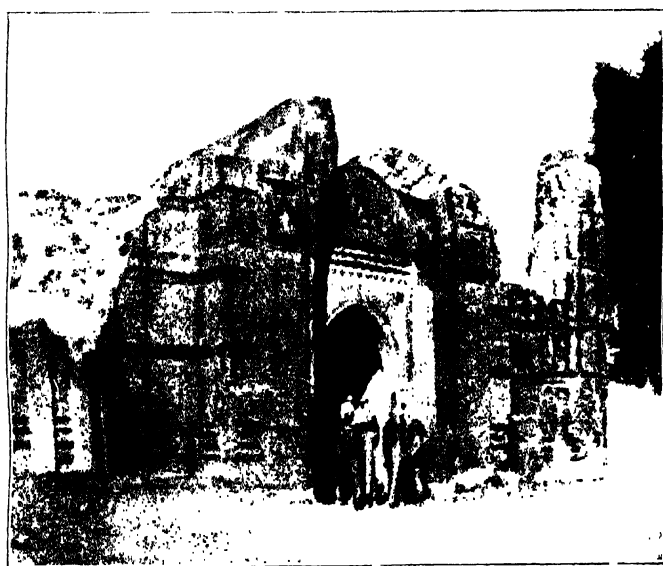
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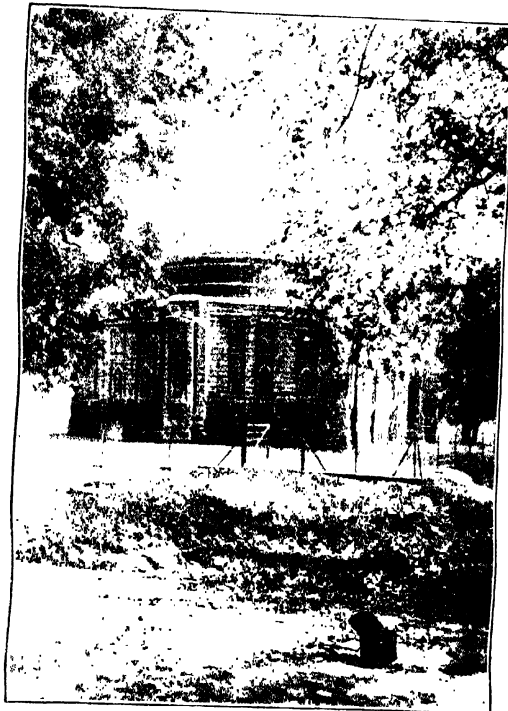
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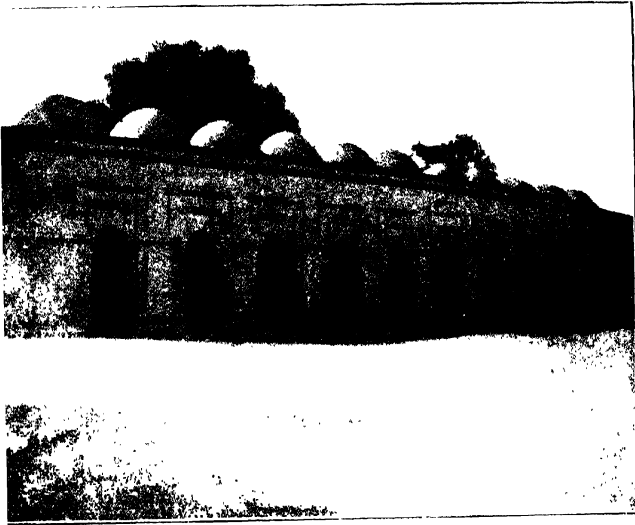
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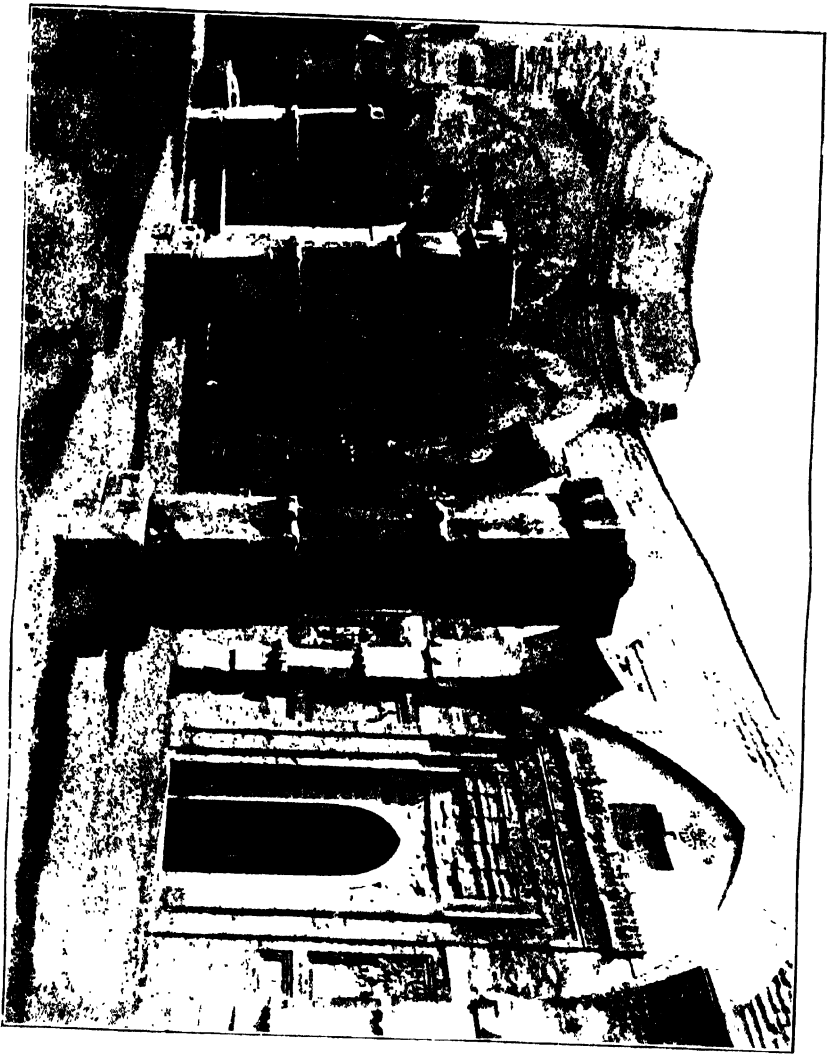


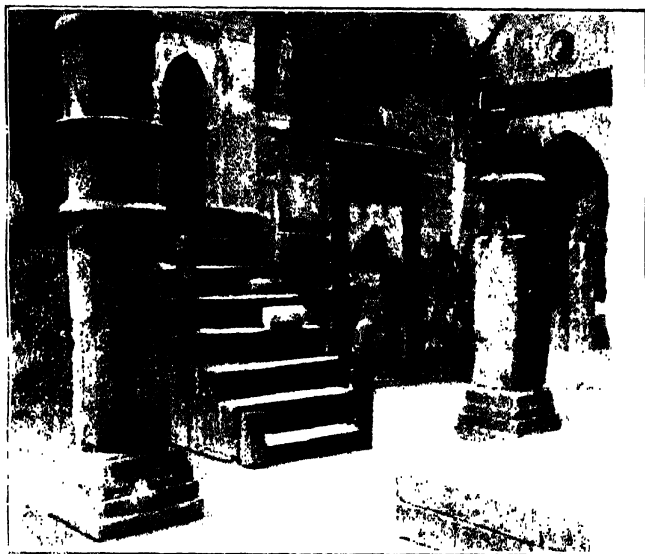
GAUP. THE GREAT GOLDEN MOSQUE 1576 A. D.



GAUP. AISLE OF THE GREAT GOLDEN MASJID 1592 A. D.

FIG. 1. THE TEMPLE OF ARAMAS, 1900 A.D.





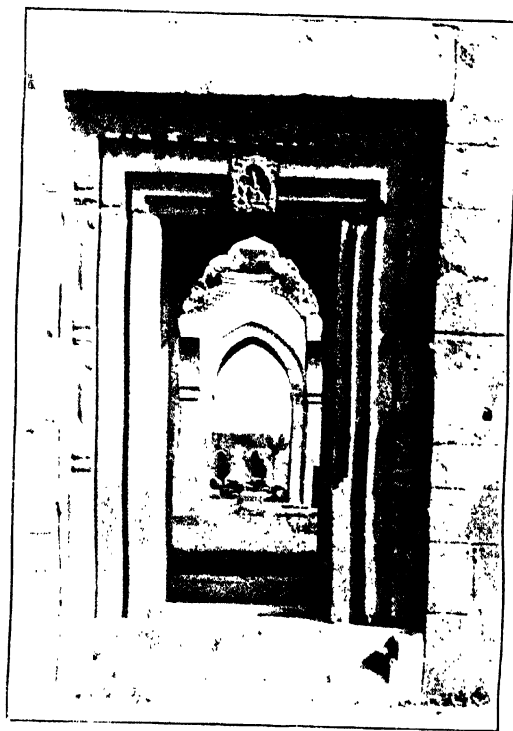
LANDUAH. THE SONA OR QUTUB MASJID.



LANDUAH. FULEH OF THE QUTUB MASJID.



DARGAH-E-AZAM CHAMBER, WEST SIDE OF
THE AL ADINAH MASJID, ABOUT 1890 A.D.



ORIENTAL ENTRANCE IN W. WALL OF THE ADINAH MASJID.

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